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Journal of the Special Session of the House of Representatives, which was begun and holden at Little Rock Arkansas

Journal of the Special Session of the House of Representatives, which was begun and holden in the Capitol at the City of Little Rock, in pursuance of the proclamation of His Excellency The Governor, which proclamation reads as follows.

The State of Arkansas:-

To the Members the Members of the General Assembly of said State-greeting.

Whereas the Constitution of the State of Arkansas empowers the Governor to convene the General Assembly by proclamation, on extraordinary occassions- Now therefore I, Henry M. Rector, Governor of the State of Arkansas, by virtue of the authority vested in me by law, do hereby call upon the members of the General Assembly, to convene in session extraordinary, at the Capitol, on the 4th day of November A.D. 1861.

In testimony whereof I have hereunto set my hand and caused the seal of the state of Arkansas to be affixed at Little Rock, this 4th day of Sept. 1861.

By the Governor
John. J Hemingway, Secy of State

H. M. Rector:

A Quorum of the House appearing within the Hall, at 10½ o'clock Mr. Speaker took the chair and called the House to order:-

Roll called:-

Present:- Messrs Allen, Bell Boone, Bowden, Bangle, Childers, ~~Colbreath~~ Conlee Cravens, Crowell, Davis Flanagin Duval, Edmondson, Fair Ferguson, Harris, Flemingway, Hudson, Humphries Jones of Pike, Jones of Bell, Kenner Key Lewis, Louden Maxwell, Mitchell, Montgomery, Murphy, McLean, Padgett Pennington Pittman, Robinson, Safford Seaborn, Sharp, Smith Stevenson, Thorn, Van-Patten, Ware, Wheeler Williams ~~Cobb~~ and Mr. Speaker-46

The list of absentees being called the following members appeared, presented their credentials as Representatives elect to fill vacancies occasioned by death, resignation or otherwise:

From	the	County	of	Crawford	Mr. Chas A. Carroll
"	"	"	"	Conway	" R. L. Bangle.
"	"	"	"	Hempstead	" B. P. Jett
"	"	"	"	Sevier	" W. K. McKean.
"	"	"	"	Washington	" J. Fen. Reeff
"	"	"	"	St. Francis	" Geo. W. Bagley.
"	"	"	"	Scott	" Franklin Bales
"	"	"	"	Green	" Thos H. Wylie.
"	"	"	"	Perry	" John M. Rison
"	"	"	"	Newton	" Samuel Hudson.
"	"	"	"	Pulaski	" John C Peay, - 11

Making the total number of Representatives present 57.

Mr. Speaker then came forward and took the oath as prescribed by the Constitution of the State, as adm

by the Convention on the 1st day of June A.D. 1861.

The roll was then called alphabetically and the members came forward and took the oath as prescribed above. which oath was administered by Hon. Elbert H. English Chief Justice.

After some discussion upon the subject of a reorganization,

Mr. Lewis moved that Hon Bradley Bunch be re-elected Speaker of the House by acclamation.

Which motion prevailed, and Hon. Bunch entered upon the discharge of his duties as Speaker of the House of Representatives.-

Mr. Speaker laid before the House the resignation of Mr. Sam. Scott, as principal clerk - which was received.

Mr. Speaker then announced that in pursuance of the reorganization, an election for principal clerks would be in order,- and that nominations would be received.

Whereupon

Mr. Boone nominated Mr. John P. Jones of Pulaski County.-
" Humphries " " " Carroll Fletcher of Arkansas "
" Jones of Pike " " " E. M. Jennings of Pike "
" Mr. McKean " " " E. H. Whitfield " Ouachita "

There being no other nominations, Mr. Jones of Pike withdrew the name of Mr. Jennings.-

Mr. McKean withdrew the name of Mr. Whitfield.

The roll was then called.

Those members who voted for Mr. Jones were:-

Messrs. Allen, Bell, Boone, Childers, McKean, Cauller Cravens, Crowell, Reif Davis, Dunnegan, Duncan Edmonson, Fant, Finigan, Harris Hemmingway, Jones of Pike Jones of Bell, Kennon Key, Bates, Mitchell, Montgomery Murphy Padgett, Pennington Pedman, Hudson of Newton, Safford, Sharp, Stevenson, Thorn, Tracy Vance, & Wheeler, - 36,

Those members who voted for Mr. Fletcher were.

Messrs- Bowden, Connell, Cargile of Conway Cargile of Clark, Ford, Hudson of Jefferson, Humphries, Rison Beazley, Lewis Pope, Maxwell, McKean, Robinson, Seaborn, Smith, Van Patten, Bell & Mr Speaker - 19 -

Whereupon Mr. Speaker then announced that John P. Jones having received a majority of all the votes cast was duly elected Principal Clerk of the House of Representatives, who thereupon appeared, was sworn in

cers ordained upon the discharge of his duties:-

Mr. Davis offered the following Resolution:-

Resolved, That the Secretary Clerk, Doorkeepers, and Pages, of the last Legislature act as such the present Session.

Which was read and adopted.

Mr. Lewis then moved that the election of an Enrolling Clerk be made the special order of the day for Thursday 10 o'clock.

Which was lost on division.

Mr. Davis moved that the House proceed to the election of an Enrolling clerk, which prevailed and

Mr. President announced that nominations were in order, whereupon,

Mr. Harris nominated Mr. Whitfield of Ouachita County
" Jones of Pike " " " E. M. Jennings of Pike "
" Pennington " " " E. B. Blanks of Pulaski "
" Bates " " " E. S. Walker of Scott Co
" Duval " " " J. H Reed " Pulaski "
" Saffold " " " W. A. Counts " " "

There being no other nominations the roll was called:-

Those members who voted for Mr. Whitfield were Messrs- ~~Bell~~, ~~Bone~~, ~~Reed~~, McKean, Reed, Jett, Harris, Pennington, Irby, Rison, and Thorn, Wade — 8.

Those who voted for Mr. Jennings were.

Messrs. Bell, Bone, Crowell, Jones of Pike, Putman, and Wheeler — 6.

Those who voted for Mr. Blanks were.

Messrs. Allen, Beazley, Bourden, Barnett, Cargile of Clark, Childers, Coulter, Dunnegan, Edmondson, Fain, Ferguson, Hudson of Perry, Jones of Bell, Key, ~~Langley~~ ~~Hays~~, Maxwell, Mitchell of Montgomery, Murphy, McLean, ~~Hudson of Hempstead~~, Robinson, Seaborn, Smith, Stevenson Peay, Van Patten, Wyse, and Williams — 27-

Those members who voted for Mr Walker were Messrs. Bates, Cargile of Conway, and Davis — 3

Those who voted for Mr Reed were:

Messrs:- Cravens, Duval, Hudson of Jefferson, Humphries, Kenner, Bell, and Mr Speaker — 7-

Those who voted for Mr Counts were

Messrs. Lewis, Padgett & Pennington, Saffold, and Thomp — 5.

Necessary to a choice 29-

Mr. Speaker announced that no candidate had received a majority of all the votes cast, there was no election, and that the roll must be called for the 2d Ballot.

Whereupon Mr. Bates withdrew the name of Mr. Walker.

Mr. Saffold withdrew the name of Mr. Counts.

Mr. Duval announced that Mr. Lauden was within the bar of the House, who came forward and took the oath prescribed.

The roll was then called on the 2d Ballot.

Those members who voted for Mr. Whitfield were

Messrs. McKean, ~~Cromwell~~, Reiff, Harris Flemingstay, Rikon & Bates — 9.

Those members who voted for Mr. Blanks were,

Messrs. Allen, Beazley Bell, Bowie, Bowden, Connall Cargile of Clarke, Childers, Coulter, Davie, Lanegan, Edmondson, Fain, Ferguson, ~~Flute~~ Gluden of Newton, Glumphries Jones of Lee, Jett Key, ~~Beazley~~, Lewis, ~~Pope~~, Maxwell, Mitchell, Montgomery Murphy, McLean, Pennington, Pullman, ~~Gladen of Newton~~, Robinson, Saffold, Seaborn, Sharp, Smith, Stevenson, Thorn, Terry, Van Pelt, Wade, Wyeand Williams — 39.

Those members who voted for Mr. Jennings were

Messrs. Jones of Pike, and Wheeler — 2.

Those members who voted for ..... Reed were,

Messrs. Cravens, ~~Duval~~, Cargile of Conway, Hudson of Jefferson, Kenner, Louden, Padgett, Bell and Mr. Speaker — 9

Mr. Speaker announced that Mr. E. B. Blanks having received a majority of all the votes cast, was duly elected Enrolling Clerk for the House of Representatives, who then appeared, took the oath and entered upon the discharge of his duties.

Mr. Humphreys offered the following resolution.

Resolved that the Clerk inform the Senate that the House is now organized and ready to proceed to business

Which was read and adopted.

On motion of Mr. Lewis the Clerk was instructed to procure necessary stationery for the use of the House.

The following message was received from the Senate by the hands of their Secretary

Mr. Speaker—

I am instructed to inform your Honorable body that a quorum of Senators having appeared and taken their seats, that body has elected John D. Kimbell Secretary.—William H. Rogers assistant secretary—John H. Hardwick enrolling secretary & J. D. Berry door keeper and is now ready to proceed to business

John D. Kimbell

Secretary.

H. J. R. No 1

Mr. VanPatten offered the following Joint resolution, S1

Resolved that this House with the concurrence of the Senate go into the election of Confederate State senators on Wednesday the 6th Inst. at 11 O'clock A. M.;

which was read and Mr. Lewis moved to lay it on the table, On which motion Mr Peay called for the Ayes and Nays which call was sustained ordered and had with the following result,

Yeas— Messrs. Allen, Bates Carroll ~~Carpile of Clark~~ Carpile of Conway Coulter Craven Crowell Dunagin Duval Edmundson Ferguson Hanis Hemingway Hudson of Jefferson Jones of Pike ~~Jones of Ark~~ Kenner Lewis London McLean Maxwell Mitchell Montgomery McLean Padgett Pennington Putman Peay Robinson Sheff Saffold Stephenson Starr Wyse Wheeler Williams Yell and Mr Speaker.—37

Nays— Messrs, Beasley Bell Boone Bowden Carpile of Clark, Chilers Davis Fain, Hendron of Newton. Humphreys Lett Jones of Ark Key Murphy ~~Hudson of Boone~~ Seaborn Sharp Smith Thorn and VanPatten—19

So the resolution was laid upon the table

Mr. Humphreys offered the following resolution

Resolved That a committee of Five be appointed on the part of the House to act with a committee of the Senate to inform his excellency Governor Rector that the two houses of the General Assembly are now organized and ready to receive any communication he may see fit to make

Which on motion of Mr. Lewis was ~~read and~~ adopted and Mr. Speaker appointed Messrs. Humphreys Lewis, Seaborn Bowden and Fain, such committee,

Mr. Boone offered the following Resolution

Resolved That the Secretary of State be required to furnish copies of Revised Statutes &c. &c. of the last session of the Legislature Ordinances and Journals of State Conventions for the use of the Legislature.

which was read and adopted.

On motion of Mr. Farr, Mr Beasley was
called to Judiciary Committee,

On motion of Mr. Lewis the House took a recess till
3 o'clock P.M.

3. o'clock P.M.

House met—

Roll called and a quorum present.

Mr Bonner offered the following resolution

Resolved That the rules for the government of the House of Representatives for the last session of the Legislature be adopted for the government of this House during the present Session,

Which was read and adopted

Mr. Gill offered the following preamble & resolution

Whereas a tax of one half of one percent has been imposed by act of the Provisional Congress of the Confederate States on the property of the people of this State made taxable by said act and Whereas the State is authorized by said act to assume and pay said tax, and under existing Circumstances, it is best to relieve the people from the payment of the same,— and Whereas the Confederate Government is indebted to this State in a sum larger than said tax, therefore

Resolved, That the Committee on the Judiciary be instructed to prepare and report a bill to this House providing for the assumption and payment by the State of said tax, by extinguishing so much of the debt of the Confederate States, to this State as shall be equal to the same.—

Which was read and on motion of Mr. Farr adopted.

H.J.R. No 2. Mr. Lewis presented the following Joint Resolution:—

Resolved— That both houses of this Legislature assemble in Joint Convention on Monday the 12th instant for the purpose of holding an Election for Senators to the Southern Congress of the Southern Confederacy"

Which was read.

Mr. Gill offered to amend as follows:— "by striking out "Monday the 11th" and inserting in lieu thereof "Saturday the 9th inst at 11 o'clock AM"

Which was adopted.

Mr. Carroll moved to lay the resolution as amended on the table, which did not prevail, and

On motion of Mr. Lewis the Resolution was adopted.

The following message was received from the Senate:-

Mr. Speaker:-

I am instructed to inform your Honorable Body that the Senate have concurred in the Resolution of the House proposing a joint committee to wait upon the Governor and inform him of the organization of the two Houses.

The committee appointed under said Resolution on the part of the Senate consists of Messrs. Pennington Lemoyne and McCreary.

John D. Kimbell
Secy of Senate.

H. B. No 1 Mr. Van Patten introduced House Bill No 1 to be entitled "An act to exempt Soldiers from the payment of road taxes in the State of Arkansas."

Which was read the 1st time.

On motion of Mr. Van Patten the rules were suspended and the Bill read the 2d time by caption.

Mr. Seaborn offered the following as an amendment.

"Amend by exempting all persons from Road Tax, provided, this act does not apply to Rail Road Tax."

Which on motion of Mr. VanPatten was laid on the table.

And on motion of Mr. Pennington the Bill was referred to the Committee on the Judiciary.

On motion of Mr. Montgomery the House adjourned until to-morrow morning 9 of the clock.

Bradley Bunch Speaker

Tuesday Morning November 5-1861.

House met pursuant to adjournment

Roll called

Present- Messrs.- Allen Bates Beasley Bell Boone Bowden Carroll Cargile of Clark, Cargile of Conway, Childers Coulter Cravens Crowell Davie Dunagin Duval Edmundson Farr Ferguson Haris Hemingway Hudson of Jefferson, Hudson of Fenton Humphreys Lett Lones of Pike, Lones of Yell, Kenner Key Lewis London Maxwell Mitchell Montgomery Murphy McKean McLain Padgett Pennington Putman, Rieff Rison Robinson Saffold Seaborn Sharp Smith Stephenson Thorn VanPatten Ware Wheeler Williams Wyse Yell and Mr Speaker— 56

Journal of yesterday read approved and signed

Mr Humphreys from Chairman of a Select committee asked and obtained leave To make the following report

Mr Speaker,

The Committee appointed To wait upon The Governor and inform him of The organization of both Houses of The General assembly, have performed that duty and I am instructed to report to The House That The Governor will be ready This day at 10 O'clock To deliver his message. Humphreys Chm.

Which was received

On Mr. Boone offered the following resolution

Resolved The Senate concurring, That The Two Houses meet in The representative Hall at 10 O'clock Today for the reception of The Governors message.

Which was read and adopted

Mr. Thorn introduced the following resolution:-

"Resolved- That the Secretary of State be requested to furnish each member of the House of Representatives with one bound copy, and nine teen unbound copies of the second series of the Geological Survey of this State for distribution."

Which was read and on motion of Mr. Key was adopted.

Mr. Montgomery introduced the following preamble & Resolution:-

Whereas, There is now a Door Keeper, and Assistant acting, whose duty it is, among other things, to keep this House in order, having wholly failed so to do, Therefore

Be it resolved, That this House request said Door Keepers to resign, in order that some one may be elected who will more fully discharge the duties of said Office.

Which was read, and on motion of Mr. Mitchell

adopted on division.

Mr. Boone offered the following Resolution and Preamble

Whereas- There are citizens of our State, indisposed to take and receive the "Arkansas War Bonds" and "Treasury Notes" of the State, at par valuation, thereby destroying their value as a currency, depreciating and rendering valueless the only means said our volunteer Soldiery, to their great detriment and injury, and to the injury of the citizens of the State, therefore

Resolved:- That the Committee on the Judiciary be instructed to enquire into the premises and report a bill to facilitate the circulation of said "War Bonds" and "Treasury Notes"-at par valuation:-

Which was read and on motion of Mr. Humphreys adopted.

Mr. Lewis offered the following resolution:-

Resolved - That editors of newspapers in the State, be entitled to seats within the Bar, and that reporters for the same be entitled to seats for the purpose of reporting the proceedings of this House, and that the door Keeper be ordered, to furnish seat and tables for any reporter for said papers.

Which was read and on motion of Mr. Kenner adopted

Mr. Bates introduced House Joint Resolution

H. J. R. No 3- No 3.

Resolved By the General Assembly of the State of Arkansas, That our Senators in Congress be instructed, and Representatives be requested to use their influence to establish a mail route from Waldron, in Scott County, to Fort Smith in Sebastian County, to be carried twice a week, in four horse coaches:-

Which was read the first time.

On motion of Mr. Bell the rules were suspended, and the Resolution read the 2d time.

And on the motion of Mr. Duval the rules were again suspended and the resolution adopted.

Mr. Wheeler introduced the following resolution H. J. R. No 4.

Resolved- That our Senators in the Congress of the Confederate States be instructed; and our Representatives requested to use their influence to increase the Wages of the Officers in the Confederate Service, and increase the wages of the private soldiers."

which was read the first time.

On motion of Mr. Smith the rules were suspended, and the Resolution read the 2d time. and

On motion of Mr. Humphreys. the rules were again suspended. and the resolution read the third time and adopted.

Messrs Massey and Jennings then appeared within the Hall, took the oath prescribed by the Constitution, administered by Mr. Speaker. and entered upon the discharge of their duties.

On motion of Mr. Lewis the House took a recess for fifteen minutes, at the expiration of which the House was called to order - and the Clerk was instructed to inform the Senate that the House was ready to receive the Senators in Joint Convention for the purpose of receiving the message of His Excellency the Governor:-

In a few minutes the Senate appeared within the bar of the House, and the following message was received from the Governor by his Hands of his private Secretary. Wm. Mathews.

(See Document "A" - Executive Journal

The President then announced that the object of the Convention having been accomplished - the Senators would retire to their Chamber.

Mr. Humphreys moved that 3000 copies of the message be printed for the use of the House.

Mr. VanPatten moved to amend by substituting "5000."

Mr. Pennington moved to amend the amendment by substituting "500"

Mr. Lee called for a division of the question.

Mr. Speaker stated the question to be on the adoption of the amendment to the amendment. which did not prevail.

The Question was then stated to be on the adoption of the amendment - which did not prevail. and on motion of and the motion to ~~Mr. Humphreys the Resolution~~ print 3000 was carried.

H.B. No 2. Mr. Van Patten introduced House Bill No 2. to be entitled "An act appropriating Five Thousand Dollars. to the Southern Soldiers Home, at Memphis, Tennessee."-

Which was read the first time.

On motion of Mr. VanPatten the rules were suspended & the bill read the 2d time by title. and

On motion of Mr. Smith was referred to the committee on Ways & Means.

H.B. No 3 Mr. Flemmingway introduced House Bill No 3, to be entitled "An act to amend the Revenue Laws of this State" which was read the first time.

On motion of Mr. Humphreys the rules were suspended, ~~and~~ the bill read the 2d time by caption. and on motion of Mr. Farr, was referred to the committee on ~~the Judiciary~~ Ways and Means.

H.B. No 4 Mr. Boone introduced House Bill No 4 to be entitled "An act to give Justices of the Peace, Jurisdiction over all actions of assault and Battery, and other penal offences less than felony." Which was read the 1st time

On motion of Mr. Montgomery the rules were suspended, and the bill read the 2d time and

On motion of Mr. Robinson the Bill was referred to the Committee on the Judiciary.

H. B. No 5 Mr. Thorn introduced House Bill No 5, to be entitled "An Act to change the time for holding the Circuit Courts of the 6th Judicial Circuit of this State" Which was read the 1st time. and

On his further motion the rules were suspended, the bill read the 2d & 3d times and passed.

H. B. No 6 Mr. Flemmingway introduced House Bill No 6 to be entitled "an Act to amend an act prescribing the duties of Collectors of Revenue" which was read the 1st time.

On motion of Mr Robinson the rules were suspended, and the bill read the 2d time by title.

And on motion of Mr. Smith was referred to the Committee on Ways and Means.

H. B. No 7. Mr. Louden introduced House Bill No 7. to be entitled "An act to amend an Ordinance regulating Sales on Executions and Trusts" Which was read the first time -

On motion of Mr. Louden the rules were suspended, and the bill read the 2d time by title. and

On motion of Mr. McLean was referred to the Committee on the Judiciary.

H. B. No 8

Mr. Boyce introduced House Bill No. 8. to be entitled "An act to change and regulate the time of holding the Circuit Courts in the 3d Judicial Circuit in the State of Arkansas" — which was read the 1st time.

On motion of Mr. Mitchell the rules were suspended, the Bill read the 2d time by title, and

On motion of Mr. Smith the rules were again suspended, the bill read the third time by title and passed.

On motion of Mr. Allen the House adjourned until to-morrow morning 9 of the clock.

Bradley Bunch Speaker

Wednesday Morning November 6, 1861.

House met pursuant to adjournment

Roll called

Present— Messrs. Allen Bates Bearley Bell Boone Bowden Carroll Carsile of Clark, Carsile of Conway, Childers Coulter Cravens Crowell Davis Dunagin Duval Edmondson Farr Ferguson Harris Hemingway Hudson of Jefferson, Hudson of Newton Humphreys Jennings Jett Jones of Pike Jones of Yell Kenner Key Lewis London, Massey Maxwell Mitchell Montgomery Murphy McKean McLean Padgett Peay Putman. Rieff Rison Robinson Seaborn Sharp Smith Stephenson Thorn VanPatten Ware Wheeler Wyatt Yell and Mr Speaker— 58.

The Journal of yesterday was read approved and signed, pending which on motion of Mr. Yell the reading of the Governors Message was dispensed with.

Mr. Smith Stated that Messrs. Acree and Armstrong were present who came forward and were sworn by Mr. Speaker in, and entered upon the discharge of their duties,

Mr. Duval asked and obtained leave of absence ~~for himself on account of indisposition~~.

Mr. Bell asked and obtained leave of absence for Mr. Williams on account of indisposition.

Mr. Speaker announced ~~the~~ The following Standing Committees,

On Ways and Means— Messrs, Humphreys Thorn Bell Hemingway Smith Pennington & Rieff

On the Judiciary - Messrs. Boone Duval Yell Gibson Harrison Cravens Farr London Bearley.

On Education Messrs, Yell Mitchell Kenner Jones of Yell Jones of Pike Carsile of Clark & Wyatt

On Federal Relations Duval Coulter Smith Robinson Thorn VanPatten Childers Clayton Hemingway & Carroll

On Internal Improvements - VanPatten Hemingway Jennings Bowden Rison & Tucker,

On Banks- Mitchell Robinson Sanders Davis Safford Crowell Bowden Key

On Geological Survey- Hemingway Bell Dunagin Padgett Bates Thorn

On Auditors and Treasurers Books McKean Bowden Carsile of Conway & Safford

On State Lands Smith Carsile of Clark Jones of Yell Murphy Wheeler McKean & Peay

On the Penitentiary - Key Padgett Stephenson Jones of Pike Harris Sanders & Ferguson -.

On County and County Lines - Lewis Montgomery Hudson of Newton Childers Seaborn & Allen

On Public Buildings - Crowell Massey Howard Williams Sharp & Bell

On Militia - Jennings Perkins Jones of Chicot Pettus Maxwell & Putman

On Agriculture - Thorn Davis Hudson of Jefferson Edmundson Allen & Childers

On Swamp and Overflowed Lands - Armstrong Gibson Stone Cargile of Conway Acree & Farr

On Petitions and Memorials Lett McKean Jervis Coulter Dunagin Pennington Beasley

On Claims - Carroll Tucker Edmundson Bell Massey Riff Jones of Cyll

On Enrollments - Ware Bates Mitchell

On Elections London Smith Reay Nolan Boone Travis Cargile of Conway.

Mr Speaker states That motions and resolutions were in order -

H.B. No. 9 Mr Lett on leave introduced House Bill No 9, To be Entitled an act for the relief of William A Alexander as Sheriff and collector of the county of Hempstead,

Which was read the first time and on motion of Mr. Smith The rules were Suspended and the Bill read The second time.

Mr. Lett moved that the blanks in the first section be filled up with the word "February,

Which motion carried and

On motion of Mr. Jennings the rules were again suspended and the Bill read the Third time and passed

H.J.R. No. 5 Mr. Penner offered the following joint resolution

Resolved by the Gen. Assembly of the State of Arkansas

That our Senators & Representatives of the Confederate States in Congress be requested to use their best endeavors to obtain a Two horse coach Mail Route running from Ozark Arkansa by way of Huntsville Arkansas To Bentonville Arkansas Semi-weekly

Which was read the first time and

on motion of Mr Penner the rules were suspended and the resolution read the Second time and

On his further motion the rules were again

Suspended and the resolution read the Third time and adopted.

Mr. Lewis offered the following resolution

Resolved that the Secretary of State be instructed to furnish the House of Representatives one of Langtrees Maps of the State of Arkansas for the use of this house

Which was read and adopted.

Mr Carroll offered the following ~~Joint Resolution~~ resolution

Resolved That a committee of five be appointed by the Speaker of this House for the purpose of examining the accounts and vouchers in the auditors and Treasurers office relative to Military matters and report accordingly

Resolved the Senate be requested to appoint a similar committee to cooperate with the House committee in this behalf.

Which was read and adopted and

Mr Speaker appointed the following gentlemen such committee, Messrs. Carroll Davie Fan Coulter and Hemingway.

Mr. Childers offered the following House Joint Resolution

H. J. R. No 6

Resolved, That our Senators in Congress be instructed and our Representatives be requested to use their exertions to establish a four horse Stage route from Batesville to Fayetteville Arkansas by way of Centreville -

Which was read, and on motion of Mr. Childers the rules were twice suspended, the Resolution read the 2d and 3d times, and adopted.

Mr. Peay introduced the following Resolution -

Resolved - That the Secretary of State be requested to furnish this House with a certified copy of the bond on file in his office, given in accordance with law by the Cairo and Fulton Railroad Company under the act granting alternate Sections of land to aid in building said road, and also a certified copy of the bond given in like manner by the Fort-Smith Branch Rail road Company -

Which was read and on motion of Mr. Donegan adopted. -

Mr. Donegan on leave introduced House Bill No 10 entitled "An act to repeal an act entitled an act to prevent the people from being defrauded with Bank Paper" which was read the 1st time.

H B. No 10

On motion of Mr. Mitchell the rules were suspended, the bill read the 2d time by title and

On motion of Mr. McLean was referred to the Committee on the Judiciary

Mr. Mitchell introduced the following Preamble and Resolution:-

Whereas The present session of the Legislature was called for the purpose of general legislation, and it is contemplated and expected that it will be brief. Therefore

Resolved - That this House will consider no ~~none~~ bills or Resolutions of a local nature.

Mr. Smith moved to lay the resolution on the table which motion prevailed on division.

Mr. Kenner on leave introduced House Bill No. 11. to be entitled "An act to repeal an act entitled an act to provide for a State Convention."

H.B. No. 11.

Which was read the first time.

On motion of Mr. Kenner the rules were suspended and the bill read the 2d time by title.

Mr. Carroll moved to lay the bill on the table, which did not prevail. and

On motion of Mr. Humphreys the bill was referred to the Committee on the Judiciary-

The following Message was received from the Senate by the hands of their Secretary

Mr. Speaker—

I am instructed to inform your honorable body that the Senate have amended and concurred in House Resolution No. 2 fixing a day for electing Confederate State Senators, which resolution is herewith returned with the amendment proposed by the Senate for the concurrence of your honorable body which is respectfully asked

J. L. Dimmick
Secy Senate

On motion of Mr. Lewis the House took up and concurred in ~~House Resolution~~ Senate amendment to "House Resolution" No. 2. as follows to wit. "Strike out all after the enacting clause and insert the following"

That both Houses of the General assembly meet in joint Convention in the Hall of the House of Representatives, on Saturday the 9th instant at 11, O'Clock for the purpose of Electing two Senators to Represent the State of Arkansas in the Congress of the Confederate States of America,

H.B. No 12

Mr. Rieff on leave introduced House Bill No. 12 to be entitled an act to repeal an Ordinance of the State Convention Creating a Military Board for the State of Arkansas

Which was read the first time and On motion

of Mr Mitchell The rules were Suspended and the Bill read the Second Time and

On motion of Mr. Pennington the Bill was referred to the committee on the Judiciary

H.B. No.13 Mr Lett on leave introduced House Bill No.13 to be entitled an act to repeal an ordinance of the State Convention entitled an Ordinance to authorize the levy of a tax for military and other purposes,

Which was read the first time and

On motion of Mr Lett the rules were Suspended and the Bill read the Second Time by title and

On motion of Mr. Lett it was referred to the Committee on Ways and Means

Mr Speaker announced That the introduction of Bills was in order,

H.B. No.14 Mr. Seaborn introduced House Bill No 14, Entitled an act supplemental to an act approved January 10th 1861, entitled an act to establish Separate courts in the County of St. Francis"

Which was read the first time and

On motion of Mr Hyke the rules were Suspended and the Bill read the 2d Time and

On motion of Mr. Starr the rules were again Suspended and the Bill read the 3d Time and Passed

H.B. No 15 Mr Key introduced House Bill No 15, Entitled an act to incorporate the Helena District Agricultural association"

Which was read the first Time and

On motion of Mr. Key the rules were Suspended and the Bill read the 2d and 3d Times by title and passed,

Mr. London presented a memorial Signed by himself representing That James M Brown of the County of Sebastian under an ordinance of the State Convention had been Selected by the attorney in attendance at the Greenwood and Ft. Smith circuit Courts as Special Judge during the absence of Hon. H B. Stewart and praying That a reasonable appropriation be made to pay the said James A Brown for such Service

Which was read and on motion of Mr London was referred to a Select committee of Three,

Mr Speaker appointed Messrs. London Earle of Clark and Hyke such committee

Mr Bates On leave presented the petition and memorial of James H. Smith and 73 Other citizens of Scott County representing That Scott county was indebted to the Internal Improvement fund of Said county in the Sum of Six Thousand and Two hundred Dollars, Which money had been expended

in the erection of a Court House in said County of Scott and praying the passage of a Bill donating said indebtedness to said County of Scott.

Which was read and

On motion of Mr McKean was referred to the Committee on Petitions and Memorials

H.B. no. 16 Mr VanPatten introduced House Bill No. 16. Entitled an act to provide for the reception of Bonds and Warants of the Confederate States in payment of certain Taxes,

Which was read the first time

On motion of Mr VanPatten the rules were Suspended and the Bill read the 2d time and

On his further motion it was referred to the Committee on the Judiciary

H.B. no. 17. Mr Lett introduced House Bill No 17 Entitled an act To repeal the 2d Section of an Ordinance of the State Convention, Entitled an Ordinance to provide Revenue for the State of Arkansas"

Which was read the first time

On motion of Mr Lett the rules were Suspended and the Bill read the 2d time and

On his further motion the Bill was referred to the Committee on Ways and Means

H.B. no. 18. Mr Coulter introduced House Bill No. 18 Entitled an act amending an act incorporating Mount Holly Church and Academy in Union County, Approved December the 17, 1860

Which was read the first time and

On motion of Mr. Coulter the rules were Suspended and the Bill read the 2d and 3d Times and passed

H.B. no. 19. Mr Bates introduced House Bill No. 19. To be entitled an act To donate to the county of Scott so much of the Internal Improvement fund of Scott County as has been used in the construction of a Court House in said County,

Which was read the first time and

On motion of Mr Bates the rules were Suspended and the Bill read the 2d time, and

On motion of Mr. McKean the Bill was referred to the committee on Petitions and Memorials

H.B. no 20 Mr. Beasley introduced House Bill No. 20 To be entitled an act to amend chapter 81 of Revised Digest of the Statutes of Arkansas,

Which was read the first time and

On motion of Mr Seaborn the rules were Sus-

pended and the Bill read the 2d time and
On his further motion it was referred to the committee
on the Judiciary

H.B. No 21 Mr Beasley introduced House Bill No 21. To be entitled
an act to change the time of holding the circuit court of
The Madison district of the County of St Francis
Which was read the first time
On motion of Mr Seaborn the rules were Suspended
and the Bill read the 2d time and
On motion of Mr Starr the rules were again Suspended
and the Bill read the 3d time by title and passed.
On motion of Mr. Smith the House adjourned until
tomorrow morning 9 O'clock

Braddy Bunch Speaker

Thursday Morning November 7. 1861.

House met pursuant To adjournment

Roll called

Present— Messrs. Acree Allen Armstrong Bales Beasley Bell Bonner Bowden Carroll, Carsile of Clark, Carsile of Conway Childers Coulter Cravens Crowell Davie Dunagin Durdal Edmundson Fair Ferguson Harris Hemingway Hudson of Jefferson Hudson of Newton Humphreys Jennings Jett Jones of Pike Jones of Yell Kenner Key Lewis London Massey Maxwell Mitchell Montgomery Murphy McKean McLean Padgett Peay Pennington Putman Rieff Rison Robinson Saffold Seaborn Sharp Smith Stephenson Thorn Tucker VanBuren Ware Wheeler Wyse Yell and Mr Speaker— 61.

The journal of yesterday was read approved and Signed

Mr. Hemingway announced that Mr. Tucker the member from Ashley county was present who came forward and was sworn in by Mr. Speaker and entered upon the discharge of his duty.

Mr Murphy announced that Mr. Hays the member from Columbia county was present who came forward and was sworn in by Mr Speaker and entered upon the discharge of his duty.

Mr. Clayton the member from the County of Desha came forward and was sworn in by Mr. Speaker and entered upon the discharge of his duties.

Mr. Speaker announced that Motions and Resolutions were in order

Mr Montgomery offered the following resolution

Resolved that so much of the Governors Message as relates to the Lands granted To the Cairo and Fulton Rail Road be referred to the committee on Internal Improvements and requested them to report a bill to this House if necessary.

Which was read and adopted,

H.J.R. no 7 Mr. Sharp offered the following House joint Resolution.

Resolved,"

That our Representatives in the Confederate Congress be ~~instructed and~~ requested and our Senators instructed to use their influence to increase the Mail Route from Batesville in Independence county by Evening Shade in Lawrence county to Salem in Fulton county twice a week on horseback

Which was read the first time and

On motion of Mr Ware the rules were Suspended and the Resolution read the 2d time and

On motion of Mr Sharp the rules were again Suspended and the Resolution read the 3d time and adopted.

Mr Montgomery offered the following Resolution

Resolved that the use of this Hall be tendered to the

Candidates for the Confederate Senate and that they be invited to address the Legislature and citizens of Little Rock tonight at 7 o'clock.

Resolved further that the friends of said Candidates be requested to inform them of this invitation,

Which was read and

Mr. Lewis offered the following amendment,

Amend by inserting the words, 'and other citizens that may be present' after the words "Citizens of Little Rock".

Which was read and rejected, and the question being stated on the adoption of the resolution it was accordingly adopted.

H. C. R. No. 8

Mr. Bates offered ~~The following~~ House Joint Resolution No 8 concerning Mail Route from Waldron in Scott County to Choctaw line.

Which was read the first time and

On motion of Mr. Bates the rules were Suspended and the Resolution read the 2d time and

On motion of Mr. Lewis the rules were again suspended and the resolution read the 3d time and adopted

Mr. Harris Stated that Mr. Jones of the county of Chicot was present who came forward and was sworn in by Mr. Speaker and entered upon the discharge of his duties;

Mr. Duval offered the following Resolution

Resolved, That the committee on the Militia be instructed to report a bill to this House for the more complete organization of the Militia and for dividing it into classes in order that the Militia may be ordered into actual Service if necessary without resorting to a draft

Which was read and adopted

H. B. No. 22

Mr. Humphreys on leave introduced House Bill No 22 To be entitled an act to repeal in part an ordinance to provide revenue for the State of Arkansas"

Which was read the first time and

On motion of Mr. Humphreys the rules were suspended and the Bill read the 2d Time by title and

On motion of Mr. Boone it was referred to the committee on Ways and Means.

H. B. No 23

Mr Duval on leave introduced House Bill No 23, To be entitled an act to authorize the Internal ~~Improvement~~ and common school ~~Companies~~ Commissioners of the several counties to invest funds in Arkansas war Bonds

Which was read the first time and

On motion of Mr Duval the rules were Suspended and the Bill read the 2d Time by title and

On his motion was referred to the Judiciary Committee.

H.B. No. 24

Mr. Cargile of Colbert on leave introduced House Bill No. 24 To be entitled an act to exempt certain property from sale and execution"

Which was read the first time and

On motion of Mr. McLean the rules were suspended and the Bill read the 2d time by title,

Mr London offered the following amendment; Amend by adding after the words"2 head of Sheep each" the following "and the fleece thereof from the Sheep, and the yarn and cloth made therefrom"

Which was read and adopted and then read the 2d time

Mr. Smith offered the following amendment,

Amend by Striking out the words"2 head for each member of a family" and insert The following, "Ten head for every family and two for every member Thereafter"

Which was read the first time and

On motion of Mr. Mitchell was laid on the table.

On motion of Mr. Boone the Bill and amendment were referred to the committee on Ways and Means.

H.B. No. 25

Mr. Jones of Yell on leave introduced House Bill No. 25" To be entitled an act for the relief of Wm Reasoner"

Which was read the first time and

On motion of Mr Cravens the rules were suspended and the Bill read the 2d time by title, and

On his further motion it was referred to ~~the~~ a Select Committee of Five, and Messrs. Cravens Lewis Borden Robinson and Montgomery,

H.B. No 26

Mr Sett on leave introduced House Bill No 26. "To be entitled an act more effectually to provide for the redemption of War Bonds"

Which was read the first time and

On motion of Mr. Sett the rules were suspended and the Bill read the 2d time by title and

On his further motion it was referred to the committee on the judiciary.

H.B. No 27

Mr. Armstrong on leave introduced House Bill No 27. To be entitled an acts to confer certain powers upon the County Court of Crittenden County during the war,

Which was read the first time -

On motion of Mr. Crane the rules were suspended the bill read the 2d time by title, and on motion of Mr. Armstrong the rules were again suspended the bill read the 2d time by title and passed.

Mr. McLean on leave introduced House

H.B. No 28 Bill No 12, Entitled an Act supplemental to an act to aid the cause of Education in Bradley, Drawing Fulton Counties, approved January 19th 1861." which was read the 1st time -

On motion of Mr. McLean the rules were suspended, and the bill read the 2d time by title, and

On motion of Mr. Smith the rules were again suspended, the bill read the 3d time by title and passed.

H.B. No 29 Mr. Peay on leave introduced House Bill No 29, Entitled "an Act to repeal Chapter 163, Digest of the Statutes of Arkansas under the head of "Execution General" and to save money to the State - which was read the 1st time -

On motion of Mr. Pennington the rules were suspended the 2d time by title, and on his further motion referred to the Judiciary Committee -

H.B. No 30 Mr. Murphy on leave introduced House Bill No 30, to be entitled "An act to authorize the County & Probate Judge of Saline County in the State of Arkansas to hold a special term of the probate court of said County, and also to change the time of holding the Probate Court of said County" - which was read the first time -

On motion of Mr. Murphy the rules were three suspended, the bill read the 2d & 3d times by title and passed.

H.B. No 31 Mr. Wheeler on leave introduced House Bill No 31, to be entitled "An act for the relief of all citizens of this State, who have or may hereafter enter the service of the Confederate States as private Soldiers" - which was read the first time -

On motion of Mr. Flemmingway the rules were suspended the bill read the 2d time by title and

On motion of Mr. Wheeler was referred to the Judiciary Committee -

H. B. No 32 Mr. Coulter on leave introduced House Bill No 32 Entitled a bill for the relief of persons having entered lands under the late United States Government and also the same lands from the State of Arkansas - which was read the first time -

On motion of Mr. Coulter the rules were suspended and the bill read the 2d time by title

And On motion of Mr. Bates was referred

to the committee on State Lands.-

S.J.R. No 9 Mr. McKean introduced Senate Joint Resolution No 9, relative to instructing Senators and requesting Representatives to procure the passage of a bill establishing a mail route from Fort Smith in Sebastian County, to Rocky Comfort in Sevier County"

Which was read the 1st time and

On motion of Mr. McKean the rules were suspended the Resolution read the 2d and 3d times and adopted.-

H.B. No 33 Mr. VanPatten on leave introduced House Bill No 33, Entitled "An act to appropriate the sum of fifty thousand Dollars to aid in building Barracks for the Soldiers of Arkansas" which was read the first time -

On motion of Mr. VanPatten the rules were suspended the bill read the 2d time by title and

~~On his further motion the bill~~

Mr. Carroll moved to lay the bill on the table- which motion prevailed;-

H.B. No 34 Mr. Bates on leave introduced House Bill No 34 Entitled An Act for the relief and benefit of Charles M. Shepherd" which was read the 1st time.

On motion of Mr. McKean the rules were suspended the bill read the 2d time by title, and

On his further motion referred to the Committee on State Lands:-

H.B. No 35 Mr. Carroll on leave introduced House Bill No 35, Entitled "An Act to amend Section 1, Chapter 115, of Gould's Digest" which was read the 1st time.

On motion of Mr. Carroll the rules were suspended and the bill read the 2d time by title

Mr. Jones of Chicot moved to amend the bill by exempting the County of Chicot from its operations - which was carried.

Mr. Crawell moved to amend by exempting Lafayette County from the operations of the bill, which was also carried.

Mr. Ferguson moved to amend by exempting Lawrence County from the provisions of the bill, which was also carried, and

On motion of Mr. Mitchell the bill and amendments were referred to the Committee on Ways and Means.

Mr. Speaker announced the entire election of bills to be in order, whereupon

H. B. No. 36 Mr. Flemming way introduced House Bill No. 36. Entitled "An act to amend an Ordinance, entitled An Ordinance to prevent "Aid and comfort from being given to the Conspiracy"— which was read the first time —

On motion of Mr. Flemming way the rules were suspended and the bill read the 2d time by title.

Mr. Boone offered the following amendment:—

Amend by striking out the words "Cities of St. Louis Mo. and Louisville Kentucky"—

Which on motion of Mr. Humphreys was laid on the table — and on his further motion the bill was referred to the Committee on Federal Relations —

H. B. No. 37 Mr. Jones of Pike introduced House Bill No. 37 Entitled An act further to define the duty of the Clerks and judges holding Elections in the Counties of Columbia and Pike"— which was read the first time —

On motion of Mr. Mueller the rules were suspended and the bill read the 2d time by title. and

On motion of Mr. Jones of Pike the rules were again suspended and the bill read the 3d time by title.

Mr. Duval moved a reconsideration of the vote ordering the bill to a third reading, which prevailed.

And on motion of Mr. Loudon the bill was referred to the Committee On Elections"

Mr. Seaborn moved a reconsideration of the vote taking House bill No 33— which did not prevail: —

Mr. Conrad on leave presented the following Resolution:—

Resolved — That the Standing Committee of this house heretofore known as the Committee on Federal Relations shall hereafter be known as the Committee on Confederate Relations"

Which was adopted.

On motion of Mr. Bryan the House adjourned until to-morrow morning 9 of the Clock

Bradley Bunch Speaker

Friday morning November 8, 1861.

House met pursuant to adjournment

Roll called

Present Messrs— Acree Allen Armstrong Bates Beasley Bell Boone Bowden Carroll Carsile of Clark Carsile of Conway Childers Clayton Chalfer Cravens Crowell Davie Dunagin Duval Edmonson Farr Ferguson Harris Hays Hemingway Hudson of Jefferson Hudson of Newton Humphreys Jennings Lett Jones of Izard Jones of Pike Jones of Yell Kenner Key London Massey Maxwell Mitchell Montgomery Murphy McKean McLean Padgett Peay Pennington Putman Riff Rison Robinson Saffold Seaborn Sharp Smith Stephenson Thorn Tucker VanPatten Ware Wheeler Wyse Yell and Mr. Speaker—63

On motion of Mr. Ferguson Mr. Lewis was granted leave of absence;

Mr. Jones of Izard Stated that Mr. Watkins of the county of Randolph was present who came forward accompanied by Mr. Ransom of the County of ~~Craighead~~ Craighead and Mr Tull of Marion and were Sworn in by Mr Speaker and entered upon the discharge of their duties.

The Journal of yesterday was read approved and Signed.

Mr. Speaker announced that Petitions and Memorials were in order,

Mr. Bowden presented a Petition Signed by N. S. Wells and 227 other citizens of Pope county, accompanied by House Bill

H.B. No 38 No 38 Entitled "an act for the benefit of actual settlers on the Tracts of Land known as the Cherokee Reserve in Pope county"

Which was read the first time and

On motion of Mr. Montgomery the rules were Suspended and the Bill read the 2d time and

~~On motion of~~ Mr. Key moved to suspend the rules and read the Bill the 3d time, objection was made and

On motion of Mr. Duval the Bill was referred to a Select committee of 5.

Mr. Speaker appointed Messrs. Bowden Duval and Key such committee,

Mr VanPatten offered the following Resolution

Resolved, That Rule 45 of this House be amended by Striking out the words "United States" and inserting Confederate States of America.

H.J.R. No. 10 Which was read and by rule of the House lays over one day

Mr Duval offered House joint Resolution No. 10 requiring the Secretary of State to furnish the clerk of the circuit court

of the Fortsmith District in Sebastian county with a set of the Reports of the decisions of the Supreme courts and 3 copies of Gouleds Digest,

Which was read

Mr Humphreys offered the following amendment-

Amend by inserting Franklin and Scsha counties

Which was read and adopted

Mr Beasley offered the following amendment,

Amend by adding Cotton plant District of St Francis County,

Which was read and adopted,

Mr. Farr offered the following amendment,

Amend by inserting the Augusta District in Jackson County"

Which was read and

Mr. Putman offered the following Amendment to the amendment

Amend by inserting Benton County,

Which was read and adopted

The amendment as amended was then adopted,

The resolution as amended was then adopted.

Mr Hudson of Newton offered the following Preamble & Resolutions,

Whereas in the dispensations of Providence, Hon. Thomas Rains formerly Representative of Newton County in this Legislature departed this life on the 28th day of January 1861, and

Whereas the deceased was well known to this House, as an amiable and estimable gentleman, a worthy citizen and a patriotic and intelligent Legislator, Therefore

Resolved 1, That we sincerely regret the death of our late friend and associate and extend our Sympathy to the family and friends of the deceased

2, Resolved That we wear the usual badge of mourning for thirty days,

Which was read and adopted

Reports from Committees were in order

Mr. Dinsmore, from the following report-

Mr. Speaker:-

The Committee to whom House Bill No 8 was referred have considered the same and are instructed by said committee to report a substitute for said Bill, and recommend its passage

Henry Johnson Chm,

Committee H. & M.

Which report was adopted, and substitute House Bill No 3, was ~~read the first~~ time entitled "An act to amend the revenue laws of this State was taken up and read the first time.

On motion of Mr Humphreys the rules was

suspended and the Bill read the 2d time by title.

Mr. Darnell moved to amend by adding after the words "Treasury Notes," the words and "Warrants" which was accepted.

And on motion of Mr. Humphreys the rules were again suspended, the bill read the 3d time by title ~~and passed~~.

Mr. Van Patten moved to amend as follows as are Be it further enacted. That whenever any Collector of Revenue in this State, shall present any War Bonds or Treasury Warrants of this State or Bonds or Warrants of the Confederate States, in liquidation of taxes, he shall solemnly swear or affirm that he has not by himself or his agent purchased such warrants or Bonds with coin or other money, receive in payment of revenue of this State, and it shall be made the duty of the Treasurer to administer said oath.

Which was decided out of order

Mr. Bates offered to amend as follows:

That the bill be amended. That nothing in this act shall be so construed as to effect an Ordinance requiring Collectors and agents to pay into the Treasury the specie funds which he shall receive or collect.

Which was also decided out of order.

On motion of Mr. Humphreys the bill was put upon its passage, and passed.

The following message was received from the Senate by the hands of Messrs Dowling

Mr. Speaker.

I am instructed to inform your Honorable body that the Senate have passed the following House bills which are herewith returned, to wit.

No 5 entitled an act changing the times of holding the circuit Courts of the Sixth Judicial Circuit

No 14 entitled an act supplemental to an act approved January 10, 1861 Entitled an act to establish Separate Courts in the County of St. Francis

No 21 Entitled an act to change the time of holding the circuit Courts for the Madison District of the County of St. Francis

The Senate have concurred and concurred in House

resolution No 6 instructing for a Stage route from Batesville to Fayetteville, which is herewith returned with the amendments attached for the concurrence of your honorable body which is respectfully asked,

The Senate have adopted a joint Resolution for an increase of Pay to Soldiers in the ranks, from eleven to at least fifteen dollars per month and have refused to concur in the House resolution on that Subject, which is herewith returned and the Senate resolution submitted herewith for the Concurrence of your honorable body which is respectfully asked

John D Kimbell

Secy Senate

Mr Humphreys from the Committee on Ways and Means made the following report

Mr. Speaker —

The Committee to whom House Bill No 17, was referred have had the same under consideration, and I am instructed by said committee to report the same back to the House and recommend its passage, Humphreys,

Chairman

On motion of Mr. Humphreys the report was adopted and On motion of Mr Pennington the Bill was taken up read the 3d time and passed,

Mr Humphreys from the committee on Ways and Means made the following report

Mr. Speaker

The committee on Ways and Means to whom House Bill No. 2 was referred have considered the same and have instructed me to report it back to the House and recommend its rejection.

Humphreys

Chairman

On motion of Mr Humphreys the report was adopted and the Bill thereby rejected.

Mr. Humphreys from the committee on Ways and Means made the following report

Mr. Speaker,

The committee to whom House Bill No 13 was referred have had the same under consideration and I am instructed to report the same back to the House and recommend its passage

Humphreys

Chairman

On motion of Mr Humphreys The report was adopted,

The Bill was then taken up read the 3d time and passed.

Mr Cravens from the select committee made the following report,

Mr. Speaker

The Select committee to whom was referred House Bill No 25, have had the same under consideration and report that from evidence satisfactory they find that William Reasnier transported One hundred and two Soldiers from Spadre Bluffs and vicinity on the Arkansas river at the date of the seizure of said post but without the order of his Excellency the Governor which is the reason of the non-payment of the claim asked for in the Bill, They further find that the claimants charge is a reasonable one also that the Soldiers on their arrival at Fort Smith were commanded by the officer in command of the expedition.

They therefore return the Bill and recommend its passage

Cravens

Chairman Select Committee

Which report on motion of Mr. Starr was adopted

The bill was then taken up read the 3d time and passed.

Mr London from a Select Committee made the following report

Mr. Speaker,

Your Select committee to whom was referred The memorial of John J. London on behalf of James A Brown late Special Judge of the Circuit Courts of the Greenwood and Fort Smith Districts of Sebastian County Arkansas, have had the same under consideration and find that the Hon. Ed. B. Stewart Judge of the 9th Judicial District failed on account of sickness to hold the Courts in said Greenwood and Fort Smith Districts, of Sebastian County Arkansas, at the October term thereof, & that the members of the bar of said court present, selected the Hon. James A. Brown of Sebastian County Special Judge of said Court -

Your Committee further find, that the said courts were necessary to be holden - that there were many persons in jail charged with Criminal offences, which was a heavy expense to the County, Your committee also find, that the said James A. Brown, held Court at the town of Greenwood, for the Greenwood District, seventeen days, and five days at Fort Smith, in the Fort Smith District, exclusive of Sundays

meeting in the Capitol. two days, which he held said Courts.

Your Committee further find, that the regular Judge of said Circuit receives about five Dollars per day, your Committee therefore understand the Circumstances, are of the opinion that the said James A. Brown, is justly entitled to the sum of five dollars per day for his Services, and inasmuch as the Ordinance of the Convention under which said Selection was made does not provide any compensation for such Services your committee therefore submit this report and recommend the passage of the Accompanying Bill.

Very Respectfully

John F. Louden

Chairman.

Which was read and adopted - and House Bill No

H.B. No 39 39, Entitled "An act for the relief of James A Brown of Sebastian County" was taken up and read the 1st time -

On motion of Mr. Louden the rules were suspended and the bill read the 2d time by title.

Mr. Robins then moved to amend by saying "that said amount be deducted from the Salary of the regular Judge".

Mr. Donnegan moved to lay the bill and amendment on the table -

After debate, Mr. VanPatten moved the previous question, which was sustained, and

Mr. Speaker stated the question "shall the main question be now put," which was decided in the affirmative, and

Mr. Speaker stated the question to be on laying the Bill and amendment on the table which prevailed on division

Introduction of Bills in order.

H.B. No 40 Mr Harris introduced House Bill No 40 "Entitled an act defining the duties of the Auditor in relation to Lands of the State" which was read the first time and

On motion of Mr Harris the rules were Suspended and the Bill read the 2d time and

On his motion it was referred to the committee on the Judiciary.

H. B. No. 41

Mr Pennington introduced House Bill No. 41. Entitled an act to Charter the Arkansas State Telegraph company
Which was read the first time and
On motion of Mr. Pennington the rules were Suspended and the Bill read the 2d time by title and
On his further motion the rules were again suspended and the Bill read the 3d time by title and passed

H. B. No 42

Mr Lett introduced House Bill No 42 Entitled an act to provide further for the payment of composite Poor Tax
Which was read the first time and
On motion of Mr. Lett the rules were suspended and the Bill read the 2d time and
On motion of Mr McLean the Bill was referred to the Judiciary committee

H B No 43

Mr Seaborn introduced House Bill No 43 Entitled an act to amend the Road Law of this State as applicable to the County of St. Francis"
Which was read the first time and
On motion of Mr Beasley the rules were suspended and the Bill read the 2d time by title.
Mr VanPatten moved to amend by extending the provisions of the Bill to the County of Poinsett,
Which motion prevailed,
On motion of Mr Smith the rules were again suspended and the Bill read the 3d time by title, and passed

H B No 44

Mr Cravens introduced House Bill No. 44 Entitled an act to suspend the operation of an act approved January 16th 1861, Entitled an act to aid the foreclosure of the Stock Mortgage given to secure the Stock Subscriptions to the Real Estate Bank to the State of Arkansas
Which was read the first time and
On motion of Mr Seaborn the rules were suspended and the Bill read the 2d time and
On motion of Mr McLean the Bill was referred to the Judiciary committee

H. B. No. 45

Mr Jennings introduced House Bill No 45 entitled an act to suspend the application of certain limitation laws during the present War,
Which was read the first time and
On motion of Mr Jennings the rules were suspended and the Bill read the 2d time by title and
On his further motion the Bill was referred to the Judiciary Committee

H B. No 46

Mr Duval introduced House Bill No 46 Entitled

an act to provide for the issuance of Treasury Warrants of small denominations and for the redemption of Arkansas War bonds.
Which was read the first time and.
On motion of Mr Durdel the rules were suspended and the bill read the 2d time by title and.
On his further motion it was referred to the committee on Ways and Means

H.B. No 47

Mr Jones of Chicot introduced House Bill No 47 Entitled an act to amend and change an act passed at the last Session of the General Assembly of the State of Arkansas, Entitled an act to protect all Lands in Chicot County that are subject to overflow, approved January 10, 1861.
Which was read the first time and
On motion of Mr Jones of Chicot the rules were suspended and the bill read the 2d time by title and
On his further motion the rules were again suspended and the Bill read the 3d time by title and passed

H.B. No. 48

Mr Bates introduced House Bill No 48 Entitled an act to increase the Pay of associate justices of the county court of Scott County"
Which was read the first time and
On motion of Mr Bates the rules were suspended and the bill read the 2d time by title and
On his further motion the rules were again suspended and the Bill read the 3d time by title and passed

H.B. No 49.

Mr Watkins introduced House Bill No 49 Entitled an act for the relief of the people of Arkansas,
Which was read the first time and
On motion of Mr. Jones of Chicot the rules were suspended and the bill read the 2d time by title and
On his further motion it was referred to the committee on Corporate Relations

H.B. No. 50

Mr Hudson of Jefferson introduced House Bill No 50 Entitled an act for the relief of citizens of this State who own Land Warrants and for other purposes,"
Which was read the 1st time and
On motion of Mr McLean the rules were suspended and the Bill read the 2d time and
On motion of Mr Smith the Bill was referred to the committee on Ways and Means

Mr. Rives of Yell offered the following Resolution
Resolved,
That by and with the consent of the Senate the General Assembly do adjourn Sine die on next

monday week the 17th Instant
Which was read ~~the first time~~ and
Mr. Bell moved its adoption
Mr. Carroll moved to lay it on the table.
By permission of the House Mr. Jones of Yell withdrew the resolution.

H. B.
No. 51

Mr Clayton introduced House Bill No 51, Entitled an act to authorize the Clerk of Desha County to make out and Transmit to the Clerk of the County Court of Drew county a copy of the assessment of all property taxed in that portion of Desha which was attached to the county of Drew by act of 21st January 1861 and for other purposes;

Which was read the first time and
On motion of Mr Clayton the rules were suspended and the Bill read the 2d time by title and
On his further motion the rules were again suspended and the Bill read the 3d time by title and passed

The following message was received from the Governor by the hands of Wm M. Matheny his private Secretary

Executive Office
Little Rock November 8, 1861

Mr. Speaker,

It becomes my painful duty this morning to announce to your Honorable body that on yesterday noon intelligence was received by me of a reliable character that the Federal Forces from Stanton numbering Seven Thousand nine marching in the direction of Pittmans Ferry with the evident purpose of attacking the Confederate forces commanded by Col. Borland.

The command of the latter is totally insufficient to [illegible] protection to that portion of country and public property in the vicinity of his camp, Orders have been issued calling Two Thousand Militia from the 8th Brigade into service for Sixty days and cooperation with Col. Borland directed.

The new companies of Volunteers now Stationed at this point will be organized forthwith into a Battalion and so soon as it is possible to arm the men will be ordered to the contemplated scene of action. There are neither State or Confederate arms on hand and domestic arms will have to be purchased by the State to equip the Battalion for this pressing emergency. The Military Board controlling the defense of Arkansas to the Confederate Government have not con-

templated the purchase of arms or munitions of war, And beg leave to ask direct Legislative sanction for so doing, to the intent that it may be necessary now or in future to meet emergencies like the present and to give protection to the State by State action and authority,

Candor compels me to say that Arkansas will have to rely in future, somewhat upon her own resources and separate action if her people, their lives and property is to be protected from the ravages of the Northern army. I applied to the Secretary of War at Richmond some ten days since for the return of a portion of the Arkansas Regiments for the protection of this State, The question was submitted to General A. S. Johnson for his determination, No conclusion has been announced up to this moment,

Our people are defenseless and must have relief from some source, it is the duty of the State Government to afford them protection if the Confederate States cannot, our resources in men is still abundant to do this, The lack of arms does present an almost insurmountable difficulty,

I recommend that a joint resolution be passed by the General Assembly authorizing the Military Board to purchase munitions of war as above suggested, and to take active measures to put the State in a condition of defense and security until the Confederate authorities may see proper to come to our relief, and that such other general directions be given by your honorable body to the State authorities as may seem needful and proper touching these questions for the present and for the future.

A more extended reference would be made to the reasons that lead me to the above conclusions but the exigency existing and lack of time prevents my so doing at present

Henry M. Rector

Which was read and received.

Mr Mitchell on leave presented the following Resolution"

Resolved that after Monday next, no more bills of resolutions or memorials of a personal or local nature will be considered by this House-

Which on motion of Mr. Bell was adopted.

On motion of Mr. Neal the message

of the Governor was referred to the Committee on Militia

Mr. Murphy introduced House Bill No 52 Entitled "An act to strike out certain words wherever they occur in the laws of the State and insert others in lieu thereof."

HB. No 52

Which was read the 1st time.

On motion of Mr. Crouch the rules were suspended the bill read the 2d & 3d times by title and passed.

Mr. Armstrong ~~as leave~~ introduced House bill No 53, Entitled "An act to protect property in Arkansas."

HB. No 53

Which was read the 1st time.

On motion of Mr. Jones of Chicot the rules were suspended and the bill read the 2d time by title and

On motion of Mr. McLean the bill was referred to the Judiciary Committee.

Mr. Troy introduced House Bill No 54 Entitled "An Act to repeal Sections 13, 14, & 15 of Chapter 29 of Gould's Digest of the Statutes of the State of Arkansas."

HB. No 54

Which was read the 1st time.

On motion of Mr. Beazley the rules were suspended the bill read the 2d time by title and

On motion of Mr. McElroy referred to the Judiciary Committee.

Mr. McLean introduced House Bill No 55. Entitled "An Act to amend Section 1st of Chapter 49, of Gould's Digest as relates to the Bradley & Jefferson Counties."

HB. No 55

Which was read the 1st time.

On motion of Mr. McLean, the rules were suspended, and the bill read the 2d time by title, and on his further motion was referred to the Judiciary Committee.

On motion of Mr. Crouch the House adjourned until to-morrow morning 9 of the Clock

Bradley Burnett Speaker

Saturday morning November 9, 1861.

House met pursuant to adjournment

Roll called —

Present — Messrs. Acre Allen Armstrong Bates Brasley Bell Boone Borden Carroll Cargile of Clark, Cargile of Conway Childers Clayton Coulter Cravens Crowell Davis Dunagin Duval Edmondson Fan Ferguson Harris Hayes Hudson of Jefferson Hudson of Newton Hull Humphreys Jennings Lett Jones of Chicot Jones of Pike Jones of Yell Kenner Key Lewis London Massey Maxwell Mitchell Montgomery Murphy McKean McLean Padgett Peay Pennington Perkins Putman Rankin Rice Wilson Robinson Saffold Seaborn Sharp Smith Stephenson Thorn Trieber Van-Patten Ware Wheeler Wyse Yell and Mr Speaker — 66.

The journal of yesterday was read approved and signed.

On motion of Mr. VanPatten the proposed amendment to Rule 45 of this House, was taken up read the 2d time and adopted.

H. J. R. No 11

Mr. Kenner offered the following House Joint Resolution No 11,

Resolved by the General Assembly of the State of Arkansas That our Senators and Representatives in Congress of the Confederate States of America be instructed and requested to use their best efforts to secure like pensions, claims to Soldiers as they formerly drew under the late United States Government

Which was read the first time and

On motion of Mr Kenner the rules were again suspended and the resolution read the 2d time, and

On motion of Mr Duval the resolution was referred to the Committee on Confederate Relations

Mr Duval on leave presented a petition and memorial of Samuel Edmondson asking pay for a horse furnished by him for the military service, which without being read on motion of Mr. Duval was referred to the Committee on Petitions and memorials.

Mr. Hull introduced the following preamble and Resolution —

Whereas, There exists a diversity of opinion relative to the title, right and interest of the Cairo and Fulton Railroad Company, in and to the grant of lands appropriations by the State of Arkansas under certain conditions and restrictions to said company and it being of importance to the State, and desired by numerous citizens directly interested that a speedy and permanent adjustment of all matters

relative thereto should be had. thereon.

Resolved - That a committee of three be appointed who shall confer with the Board of Directors of said Cairo and Fulton Railroad Company, and report at as early a day as possible by bill or otherwise, such measures or plans of adjustment as they may deem necessary and proper -

Which was read and adopted - and Mr. Speaker appointed Messrs Pettit, Peay and Bayley such select committee -

Mr. Childers on leave called up Senate amendment to House Joint Resolution No 6 - as follows

"Insert before Camden the words "Fort Oline" and Camden" and after it the word "Plumtown" -

Add the following, "and a four horse stage mail route from Des Arc via Dardanelle and Greenwood to Fort Smith Arkansas".

Mr. Childers moved to concur in the proposed amendment, which motion did not prevail, and the House refused to concur.

The following message was received from the Senate by the hands of their Chief Clerk -

Mr. Speaker

I am instructed to inform your Honorable body that the Senate have passed the following House Bills, which are herewith returned, viz:-

No 8 - entitled "An act to change and regulate the times of holding the circuit courts in the 3d Judicial Circuit in the State of Arkansas"

No 27 - Entitled an act to confer certain powers upon the county court of Cross Co. during the War -

No 30 - Entitled an act to authorize the County and probate judge of Saline County in the State of Arkansas to hold a special term of the Probate court of said County, and also to change the time of holding the Probate Court of said County -

The Senate have passed Senate Bill No 2, to be entitled An act requiring collectors of Revenue to receive War Bonds, Confederate Notes and Treasury Warrants in payment of County Taxes -

Said Bill is herewith transmitted for the action of your Honorable body which is respectfully

asked.

The Senate have concurred in House Joint Resolution numbered 3, 5, 7, 8 & 9— to establish and to maintain the same on various mail routes in this State - all of which are herewith returned.

John D. Kimbell
Sec'y of Senate

Which was read —

H. B. No 56 Mr. Cargile of Clark on leave introduced House Bill No 56 - to be entitled An act to amend an act entitled "An act to aid the Arkansas Institute for the Blind," which was passed at the last session of the General Assembly, and approved the 19th January, 1861 - which was read the 1st time —

On motion of Mr. Cargile of Clark, the rules were suspended, the bill read the 2d time by title, and referred to the Committee on Education -

Reports from Standing Committees were in order.

Mr. Boone from the committee on the Judiciary made the following Report: -

Mr Speaker: -

The Committee on the Judiciary to whom was referred House Resolution instructing said committee to prepare and report a bill to facilitate the circulation of Arkansas Bon Bonds and Treasury Warrants, have had the same under consideration and have unanimously instructed me to report the accompanying bill and recommend its passage

Ben. F. Boone,
Chairman Jud. Com.

Which was read, and on motion of Mr. Bell was adopted, and the accompanying House Bill No 57 was ~~read the 1st time~~ - Entitled an act to facilitate the circulation of Arkansas Bon Bonds and Treasury Warrants" was read the 1st time -

H. B. No 57

On motion of Mr. Boone the rules were suspended, and the bill read the 2d time by title, and

On motion of Mr. Boone the rules were again suspended, the bill read the 3d time and passed —

Mr. Boone from the Committee on the Judiciary made the following report

Mr Speaker: -

The Committee on the Judiciary to whom was referred House Bill No 41 to be entitled "An act to give Justices of the peace exclusive Original

jurisdiction in all prosecutions for simple assault assault and Battery, and other penal offences, less than felony," punishable by fine only." have duly considered the same, and have instructed me to report the accompanying bill as a substitute bill therefor, and recommend its passage-

Benj. F. Boone Chairman

Which was read and on motion of Mr Humphreys adopted- and Substitute House Bill No 4. was read the 1st time

S.H.B. No 4

On motion of Mr. Boone the rules were suspended, and the bill read the 2d time by title-

Mr. Bell moved to amend. by striking out the 7th section of the bill, which refers to committing the defendant to the County Jail-

Which on motion of Mr. Armstrong was laid on the table -

Mr Pett moved that the bill be made the special order for Tuesday 11. o'clock - which did not prevail-

Mr. Humphreys moved that the rules be suspended and the bill read the third time, which prevailed and the bill was accordingly read-

On the question of its passage Mr. Hays called for the Yeas and Nays, which was sustained ordered and had with the following result.

Yeas- Messrs. Acree, Allen, Armstrong, Bates, Beasley, Bell, Boone, Bowden, Barnes Cargile of Clark, Cargile of Conway, Childers Claxton, Coulter Cravens, Davis, Donegan, Duval Edmondson, Fann, Ferguson, Hays, Hudson of Jefferson, Hudson of Newton Hull, Humphreys, Jenning Jones of Pike Jones of Bell, Kennedy Loucks, Massey, Maxwell, Mitchell, Montgomery Murphy, McKean, McLean, Peay, Pennington, Perkins, Putman, Robinson, Ransom, Rief, Risen, Robinson, Saffold Seaborn Smith, Stimson, Thorn, Tucker, Van Patten, Ware, Wheeler, Wyse Yell & Mr Speaker — 59

Nays- Messrs. Crowell, Harris, Pett, Jones of Lincoln, Padgett and Sharp — 6

So the bill passed —

Mr. Humphreys from the Committee on Ways and Means made the following report

Mr Speaker,

The committee to whom was referred

House Bill No 24 have considered the same and I am instructed by said Committee to report the Bill and amendment back to the House and as amended recommend its passage

Humphreys
Chairman

Which was read and

On motion of Mr Humphreys the report was adopted,

The amendment was then read and adopted and then read the 2d time,

The Bill was then read the 3d time by title and passed

Mr. Speaker laid before the House a communication, relative to Papers concerning Cairo & Fulton R. R Co.

On motion of Mr. Bell the House took an recess to prepare Hall for reception of Senate for the purpose of electing Senators to the Confederate Congress -

At the expiration of a few minutes the House was called to order, and the clerk instructed to inform the Senate that the House were ready to receive the Senate in Joint Convention -

In a few moments the Senate appeared within the bar of the House -

Mr. President of the Senate explained the object of the Convention to be the election of Senators to the Confederate Congress, and announced that nominations were in order, whereupon after an explanation offered by Mr. Bell, in behalf of one of the Candidates

Mr. Humphreys nominated Hon Robt. W. Johnson
" Boone " " " C.B. Mitchell
" Jones of Lincoln " " " James Bell,
" Terry of the Senate " " Albert Pike
" Ward " " " " " N. B. Burrow -

There being no other nominations the rolls were called - Mr. President stating that members would vote for two of the candidates

In the Senate Mr. Johnson received 17 Votes
" " " " Mitchell " 8 "
" " " " Bell " 3 "
" " " " Pike " 10 "
" " " " Burrow " 3 "
In the [redacted] " " Smede " 1 "
In the House Mr. Johnson " 50 "
" " " " Mitchell " 41 "
" " " " Bell " 10 "

In the House Mr. Pike received 21 Votes
" " " " Burrow " 3 "
" " " " Louden " 3 "
" " " " English " 1 "
" " " " Fairchild " 1 "
" " " " Saffold " 1 "
" " " " Miller " 1 "
On Joint Ballot Mr. Johnson " 67 "
" " " " Mitchell " 49 "
" " " " Bell " 13 "
" " " " Pike " 31 "
" " " " Burrow " 6 "
" " " " Meadi " 1 "
" " " " Louden " 2 "
" " " " English " 4 "
" " " " Fairchild " 1 "
" " " " Saffold " 1 "
" " " " Miller " 1 "

Necessary to a choice 44 Votes

Those members of the House of Representatives who voted for Mr Johnson were

Messrs- Acree Allen Armstrong Beasley Bell Boone Bowden Carroll Cargile of Clark Cargile of Conway Childers Clayton Davie Dunagin Farr Ferguson Harris Hays Hudson of Jefferson Hudson of Newton Hull Humphreys Jennings Lett Jones of Pike Jones of Yell Key Lewis Massey Maxwell Mitchell Montgomery Murphy McKean McLean Peay Pennington Perkins Ransom Rieff Rison Robinson Seaborn Smith Stephenson Thorn Trickett Van Patten Wyer and Mr Speaker— 50.

Those members who voted for Mr Mitchell were

Messrs.— Acree Allen Armstrong Bales Bell Boone Bowden, Cargile of Clark, Childers Coulter Crowell Dunagin Edmondson Hays Hudson of Newton Hull Humphreys Jennings Lett Jones of Pike, Jones of Yell Kenner Key Lewis London Massey Maxwell Mitchell Montgomery Murphy Perkins Rieff Robinson Saffold Seaborn Smith Stephenson Thorn Trickett Van Patten Wheeler and Mr. Speaker— 41

Those members who voted for Mr Yell were

Messrs.— Duval Hudson of Jefferson Jones of Chicot London McLean Putman Ransom Saffold Ware and Yell— 10

Those members who voted for Mr Pike were

Messrs. Beasley Carroll Carlile of Conway Clayton Coulter Cravens Crowell Davis Duval Farr Ferguson Harris Jones of Chicot Kenner McKean Peay Pennington Putnam Rison Tucker and Tyler — 21.

Those members who voted for Mr. Burrow were Messrs—Cravens Sharp and Tyler — 3.

Mr. Bates Farr and Wheler voted for Mr London. - 3

Mr Edmundson voted for Mr. Saffold - 1

Mr Padgett voted for Mr English and Fairchild - 1

Mr. Sharp voted for Mr Miller - 1

Mr. President of the Senate announced that Hon. Robert W. Johnson, and Hon. C.T.B. Mitchell having received a majority of all the votes cast were duly and legally elected, Senators from the State of Arkansas, to the Confederate Congress, for and during the time prescribed by law-

The object of the convention having been attained the Senate repaired to their Chamber-

Mr. VanPatten asked and obtained leave of absence for an indefinite period, owing to his connection with the army—

and On his motion the House adjourned until Monday morning 9 o'clock

Bradley Branch
Speaker

Monday morning November 11, 1861.

House met pursuant to adjournment

Roll called

Present— Messrs. Acree, Allen, Armstrong, Bates, Beasley, Bell, Brown Borden, Carroll, Cargile of Clark, Cargile of Conway, Chrisman, Clayton Coulter, Craven, Cromell, Davis, Dunagin, Duval, Edmundson, Fair Ferguson, Harris, Hays, Hemingway, Hudson of Jefferson, Hudson of Newton, Hull, Humphreys, Jennings, Lett, Jones of Chicot Jones of Pike, Jones of Yell, Kenner, Key, Lindsay, Mabry, Maxwell, Mitchell, Montgomery, Murphy, McKean, McLean Padgett, Pray, Putman, Rawson, Rieff, Rison, Robinson, Saffold Seaborn, Sharp, Smith, Stephenson, Thomas, Tucker, Ware, Wheeler Williams, Wyse, Yell and Mr Speaker— 64

The Journal of Saturday was read approved and Signed.

Mr. Speaker announced That Petitions and Memorials were in order.

Mr Clayton presented the petition of Duncan S. Morris of Arkansas County praying relief for, Lost Swamp Land Scrip.

Which was accompanied by "House Bill No. 58 "Entitled an act for the relief of Duncan S. Morris of Arkansas County"

H.B. No. 58

Which was read the first time and

On motion of Mr. Humphreys the rules were Suspended and the Bill read the 2d time and

On motion of Mr Cargile of Clark the Bill and Petition were referred to the Committee on Claims

Mr Bates presented the Petition of J.C. Head and 43 other citizens of Scott County praying relief for Allen Marshall of said County,

Which was read and referred to the Committee on Petitions and Memorials.

Mr Duval presented the Petition of James M Ward and Earl Sawyers of Sebastian County asking pay for Cost for services in the Service of the State"

Which without being read was referred to the Committee on Petitions and Memorials,

H.B. No. 59

Mr Smith on leave introduced House Bill No 59, Entitled an act amendatory to an act to incorporate the Helena Insurance company"

Which was read the first time and

On motion of Mr Key the rule was twice suspended and the Bill read the 2d & 3d times by title and passed.

H B No 60

Mr Mabry on leave introduced House Bill No 60 Entitled an act to change the time of holding the Circuit Courts in the 3d and 7th Judicial Circuits of Arkansas

Which was read the first time and
On motion of Mr Massey the rules were Suspended and the Bill read the 2d time
Mr Wyse offered the following amendment—
Amend by Striking out all that portion of said Bill that refers To 3d Circuit,
Which was read and adopted and then read the 2d time
On motion of Mr Massey the Bill was referred to the Judiciary Committee,

Mr Gill presented the petition of Richard T. Stovall, a minor signed by numerous citizens of Jefferson County praying that he may be allowed to assume Control and management of his own property rights Credits &c. accompanied by House

H. B. No. 61. Bill No 61. Entitled "an act for the relief of Richard T. Stovall of Jefferson County"
Which was read the first time and
On motion of Mr Gill the rules were Suspended and the Bill read the 2d time, and
On his further motion the rules were again suspended and the Bill read the 3d time by title and passed

H. B. No 62 Mr. Farr on leave introduced House Bill No 62 Entitled "an act for the relief of Francis P. Redmond of Monroe County Arkansas"
Which was read the first time and.
On motion of Mr. Saffold the rules were ~~again~~ Suspended and the Bill read the 2d time by title and
On motion of Mr Farr the Bill was referred to a Select committee of 5.
The Speaker appointed Messrs. Farr Gill Ferguson Sharp and Storm

H B No. 63 Mr Hudson of Jefferson on leave introduced House Bill No 63 Entitled "an act for the relief of Ambrose Hudgins"
Which was read the first and
On motion of Mr Hudson of Jefferson the rules were suspended and the Bill read the 2d time and
On his further motion the Bill was referred to a select committee of Three
Messrs, Hudson of Jefferson Jones of Gill & Cargile of Clark were appointed such Committee,

H. B. No. 64 Mr. Robinson presented the petition of Batson H. Cox praying relief for himself and John H. Hill of Johnson County Arkansas Which was accompanied by House Bill No 64 Entitled an act for the relief of Captain John H. Hill and Batson H. Cox

Which was read the first time and
On motion of Mr. Cravens the rules were suspended
and the Bill read the 2d time,
Mr London offered to amend by inserting the name
of Captain W. H. Blakeman,
Which amendment was accepted and
On motion of Mr. Cravens the Bill was referred to
the committee on the Militia

The following message was received from the Senate by the hands of their Secretary

Mr. Speaker

I am instructed to inform your honorable body that the Senate have passed House Bill No 43 Entitled "an act to amend the road law of this State as applicable to the Counties of St. Francis and Poinsett Which is herewith returned

John D. Kimbell
Secretary of Senate.

H.B. No 65 — Mr Cravens on leave introduced House Bill No 65. Entitled "an act to provide for the Election of a tax assessor and collector in the County of Hempstead" which was read the first time & on his motion the rules were twice suspended the bill read the 2d & 3d times by title and passed.

Mr. Edmondson presented the petition of John A. Sheffield and 43 other citizens of Izard County asking a special act for the benefit of the Baptist Church at Limesburg in said County,

Which was accompanied by House Bill No 66 entitled
H.B. No 66 — an act to prohibit the Sale of Liquor and wine &c within two miles of the Baptist Church at Limesburg ~~in~~ Izard County" which was read the first time.

On motion of Mr. Jones of Lincoln the rules were suspended, and the bill read the 2d time by title.

Mr. Brown moved to amend by striking out the words "a half a" and insert the word "one", so as to read "within one mile" &c. which was accepted.

And on motion of Mr. Bell the rules were again suspended, the bill read the 3d time by title and passed.

H.B. No 67 — Mr. Hays on leave introduced House Bill No 67. entitled an act to prohibit the sale of property in civil cases on execution issued, or which may be hereafter issued upon judgments or decrees heretofore rendered, or which may hereafter be rendered in any of the courts of this State" which was read the first time.

On motion of Mr. Hays the rules were suspended

~~read~~ on bill read the 2d time by title - and on motion of Mr. McLean was referred to the Judiciary Committee

H.B. No 68. Mr. Bates on leave introduced House Bill No 68 - entitled "An act to authorize the sale of certain lands in this State formerly owned by the Government of the United States" - which was read the 1st time -

On motion of Mr. Bates the rules were suspended, and the bill read the 2d time by title - and on his motion referred to the committee on State Lands.

H.B. No 69. Mr. Bell on leave introduced House Bill No 69 entitled "An act for the relief of Richard C. Thompson, late Sheriff and Collector of the County of Jefferson" - which was read the 1st time -

On motion of Mr. McLean the rules were suspended and the bill read the 2d time by title -

Mr. Fleming moved to amend as follows

Sec — That the provisions of this bill extend to all the Sheriffs in this State" - which was adopted, and after explanation on leave withdrawn - and

On motion of Mr. Smith the bill was referred to the Committee on Ways and Means.

H.B. No 70. Mr. Cargill of Conway on leave introduced House Bill No 70 Entitled "An Act to incorporate the Town of Springfield in Conway County, Ark" - which was read the first time - and

On motion of Mr. Boone was rejected.

H.B. No 71. Mr. Childers on leave introduced House Bill No 71 entitled "An act to pay the expenses of the last illness and funeral of Hon. Thomas Rains of Newton County" - which was read the 1st time.

On motion of Mr. Kenner the rules were suspended and the bill read the 2d time by title - and on motion of Mr. Mitchell was referred to Committee on Claims -

Mr. Bowden from a select committee made the following report:-

Mr Speaker:-

The select committee to whom was referred House Bill No 98, have had the same under the consideration and have instructed me to report the same back to the house with amendment and recommend its passage

Bowden Chairman

Select Com.

Which was read and adopted - and the amendment

read and also adopted as part of the Bill-

On motion question of passing the Bill upon its 3d reading - after discussion.

Mr Durrah moved that the further discussion be postponed and made the special order for 10 o'clock - which prevailed.

H.B. No 72. Mr. Key in leave introduced House Bill No 72 entitled "An act to provide for collecting the taxes of Phillips County" - which was read the first time -

On motion of Mr. Mitchell the rules were suspended and the bill read the 2d time by title

And on the motion of Mr. Key the rules were again suspended, the bill read the 3d time by title and passed -

H.B. No 73. Mr. Worrell on leave introduced House Bill No 73. entitled an act to authorize Wm F. Bourne of Sebastian County to convey certain lands" - which was read the 1st time -

On motion of Mr. Durrah the rules were suspended, and the bill read the 2d time by title -

Mr. Carroll moved its reference to a select committee, which after explanation was withdrawn -

Mr. Rief moved to amend by adding to the 1st Section

Provided - That the said Wm F. Bourne, shall not convey any land under the provisions of this bill the title to which was in the name of Joseph J. Mallon alone, without first obtaining the consent of the widow of said Mallon to such Conveyance -

Which was accepted, the bill read the 3d time by title and passed -

Mr. Jones of Bell (on leave.) introduced the following Resolution:-

Resolved - That the House of Representatives resolve itself into a Military Company, elect their officers and repair immediately to our Western border, and meet an invading enemy -

Which on motion of Mr. Bell was laid on the table -

H.B. No 74. Mr. Kinner on leave introduced House Bill No 74, entitled "An act for the relief of Creditors" which was read the 1st time -

Mr. McLean moved its rejection on which

Mr. Caffard called for the yeas and nays, which was sustained ordered and had with the following result

Yeas – Messrs. Allen Armstrong Bagley, Bell, Boone, Bowden, Cargile of Clark, Cargile of Conway, Chrisler, Clayton, Coulter Cravens, Crowell Dinsmore, Duval, Edmondson, Farr Ferguson, Harris, Hays, Hudson of Jefferson, Hudson of Newton Hull, Humphreys Jennings Jett Jones of Christ, Jones of Pike Jones of Bell, Key, Loudon, Massey, Maxwell, Montgomery Murphy, McKean, McLean Padgett, Pecia Ransom, Rison, Robinson Seaborn, Shamp, Smith Thorn, Tucker, Wheeler Wyse, Bell and Mr. Speaker – 51 –

Nays Messrs. Carroll, Davis, Kenner, Mitchell Pullman, Reif, Caffard Mann & Williams 9 –

So the bill was rejected –

Mr. Wyse introduced the following Preamble and Resolution –

Whereas – from information received through the various communications of the Governor, and other sources deemed reliable, Arkansas Soil, in the opinion of this House has been, or ~~will be~~ is about to be invaded by the ruthless foe, and in the opinion of this General Assembly it is the first and paramount duty of every citizen to protect and defend the State from hostile invasion and to contribute and exert his influence whatever he may have in arrousing and sending to the field this citizen soldiery of this country and whereas, it is believed that all measures of general and pressing necessity for the people of this State may be, during the present day perfected, if the necessary exertion be used

Therefore, Be it resolved, that with the concurrence of the Senate this General Assembly, adjourn sine die at 10 o'clock P.M. of to day –

Which on motion of Mr. Humphreys was laid on the table –

On motion of Mr. Smith the House took a recess until 7 o'clock P.M.

7, o'clock P.M –

House met –

Roll called and a quorum present

H.J.R. no. 12

Mr Duval offered the following House Joint ~~Resolution~~ No. 12 Resolution,

Whereas James H. Reid arrested a notorious horse thief by the name of A.L. Baker who fled from Sebastian county in 1860. at Little Rock and conveyed said Baker at his

own expense to the city of Fortsmith and delivered him to the authorities of said County where he is now lodged in Jail— Therefore, Be it Resolved by the General assembly of the State of Arkansas, That the Sum of Two hundred dollars be and the Same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated to pay the said James H Reid for making such arrest and carrying said Barker to Fortsmith as aforesaid and the Auditor is hereby directed to draw his warrant on the Treasurer in favor of said James H. Reid for said Sum of Two hunared dollars

Which was read and

On motion of Mr. Smith it was referred to the Committee on Claims together with certain papers connected therewith

Mr. Boone offered the following Preamble and Resolution:-

Whereas The President (Jeff. Davis) of the Confederate States of America has set apart Friday the 15th instant as a day of prayer and thanksgiving to the Ruler of the Universe for the victories vouchsafed to our arms in the present struggle between the South and the North, and for the further success of our arms. Therefore

Resolved, That Friday Next be set apart and observed as a day of prayer and thanksgiving as above indicated, and that a committee of three be appointed to act in concert with a like committee on the part of the Senate to confer with and Solicit the services of some minister to hold Divine service in this House on said day - and that the Senate be requested to concur herein -

Which was adopted - and the Speaker appointed Messrs Boone, Lemmons and Tucker such committee -

Mr. Crane from the Committee on enrollments made the following report

Mr Speaker:-

The committee on enrollments to whom was referred the following Bills and Resolutions viz:

House Joint Resolution No 8 concerning a mail route from Waldron in Scott County to Choctaw Line

No 9- Relative to a mail route from Ft Smith via Greenwood, Waldron and Point Comfort in Sevier

County -

No 1 - Relative to a mail route from Batesville to Salem.

No 3 - Relative to a mail route from Waldron to Fort Smith

No 5, Relative to a mail route from Ozark via Blumenville to Bentonville -

House Bills No 21. Entitled "an act to change the time of holding the Circuit Courts for the Madison District of St Francis County -

No 5. Entitled an act to change the time of holding the circuit Courts of the 6th Judicial Circuit"

No 13 Entitled an act to amend the Road Law of this State as applicable to the counties of St. Francis & Poinsett"

No 30 - Entitled an act to authorize the County and Probate Judge of Saline County to hold a special term of the Probate Court of said county and also to change the time of holding the probate court of said county -

No 14 entitled an act supplementary to an act approved January 11th entitled an act to establish seperate courts in the county of St. Francis

No 27 Entitled an act to confer certain powers on the County Court of Cullenden Co." - have ~~had the passed under consideration~~ compared the same and have instructed me to report them correctly enrolled

Rowe, Chairman

Which was read and received -

H.B. No 75 Mr Robinson introduced House Bill No 75. Entitled an act for the relief of Christopher C Logan and Hughey A Logan,

Which was read the first time and

On motion of Mr Cravens the rules were twice suspended and the bill read the 2d & 3d times by title and passed.

H.B. No 76 Mr Humphreys introduced House Bill No 76 entitled an act to increase the salary of the Secretary of State.

Which was read the first time and

On motion of Mr Humphreys the rules were suspended and the Bill read the 2d time.

S.H.B. No. 76 Mr Duval offered the following substitute

A bill to be entitled an act to increase the salary of the Secretary of State and for other purposes.

Whereas the business in the office of the Secretary of State has been largely increased since the Commencement of the war and by the action of the Convention the emoluments of the office have been greatly diminished so that the Salary of said officers is insufficient to pay him for his labor, and Whereas in consequence of the increase of the business of his office he is compelled to hire a clerk and pay him out of his own pocket, therefore

Sec. 1 Be it enacted by the General Assembly of the State of Arkansas, That the Secretary of State shall be entitled to and receive a Salary of twenty five hundred dollars per annum to be paid in the same manner as the Salaries of State officers.

Sect. 2d. Be it further enacted, That the Sum of One Thousand dollars per annum be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated to pay for the hire of a clerk or clerks in the office of Secretary of State to be drawn quarterly upon accounts certified by the Secretary of State

Sect 3d Be it further enacted That this act shall relate back to and take effect from the 1st day of May 1861, and the auditor is hereby rejuired to draw his warrant on the treasurer in favor of Alfred J. Hinman for the amount that may be found due him under the provisions of this act and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated.

Which was read the first time

On motion of Mr. Duval the substitute, the rules being suspended was read the 2d time — and

The substitute was not adopted —

The question recurring on the motion to suspend the rules for the 3d Reading of the original bill —

On motion of Mr. Blumfatmup the rules were suspended, the bill read the third time by title and passed

H. B. No 77

Mr. Thorn at this time introduced House Bill No 77, Entitled an act concerning the Mississippi Ouachita and Red River Rail Road Company — which was read the 1st time.

On motion of Mr. Baone the rules were suspended, the bill read the 2d time by title, and on motion of Mr. McLean was referred to the

Judiciary Committee -

Mr. Humphreys was called to the chair -

H.B. No 78 Mr. Speaker introduced House Bill No 78, entitled "An act for the relief of certain Volunteer Companies" which was read the 1st time -

On his motion the rules were suspended and the bill read the 2d time by title and

On motion of Mr. Donegan was referred to the Committee on Claims -

Mr. Edmundson introduced House Bill No 79

H.B. No 79 Entitled "An act amendatory of an act entitled an act concerning Schools and School Lands in the counties of Columbia and Brainia, approved January 21st 1861," which was read the 1st time

On motion of Mr. Wheeler the rules were suspended the bill read the 2d time by title, and

On motion of Mr. Childers the rules were again suspended the bill read the 3d time by title & passed.

H.B. No 80 Mr. Jones of Chicot introduced House Bill No 80 Entitled an act in relation to the Marine Hospital at Napoleon in the County of Desha," which was read the first time

On motion of Mr. Jones of Chicot the rules were suspended, the bill read the 2d time by title and on his further motion referred to a select committee of three -

Mr. Speaker appointed Messrs Jones of Chicot, Childers. and Neal such select committee -

H.B. No 81 Mr. Louden introduced House Bill No 81, Entitled An act to amend the Eleventh Section of Chapter forty-seven of Gould's Digest in relation to Special Judges of the Circuit Courts of this State — which was read the 1st time

On motion of Mr. Louden the rules were suspended and the bill read the 2d time by title -

Mr. Hemings moved to amend as follows

"Amend the title and all after the enacting clause by substituting" that said Section be repealed" which was adopted - and on motion of Mr. Jones of Chicot the bill and amendment was referred to the Judiciary Committee -

H.B. No 82 Mr. Clayton introduced House Bill No 82 Entitled an act to grant a charter to M. A. Bailie to make a Turnpike or plank road - which was read the 1st time -

On motion of Mr. Jones of Chicot the rules were suspended and the bill read the 2d time by title and on motion of Mr. Pitt referred to the Committee on Internal Improvements. —

H B No 83 — Mr. Peay introduced House Bill No 83, Entitled "An act to authorize the Register of the Land Office at Little Rock to appoint a deputy" which was read the 1st time —

On motion of Mr. Peay the rules were suspended, the bill read the 2d & 3d times by title and passed

H B. No 84 — Mr. Armstrong introduced House Bill No 84 Entitled an act declaring Black fish Bayou a navigable stream and for other purposes." which was read the first time —

On motion of Mr. Acree the rules were suspended the bill read the 2d time by title, and

On motion of Mr. Armstrong the rules were suspended the bill read the 3d time by title and passed —

H B No 85 — Mr. Hays introduced House Bill No. 85. Entitled "an act for the relief of the securities of James C Donnen, late Sheriff of Columbia County" which was read the 1st time —

On motion of Mr. Hays the rules were suspended and the bill read the 2d time by title, &

On motion of Mr. Smith was referred to the committee on Claims —

Mr. Flemming may presented a memorial relative to procuring the passage of a law authorizing the Government to buy the entire cotton crop of the planters &c. Which was read the 1st time.

On his motion the rules were suspended and the memorial read the 2d time and

On motion of Mr. Louden was referred to the committee on Pets & Morials.

H B. No 86 — Mr. Acree introduced House Bill No 86 Entitled An act to facilitate the collection of Revenue" which was read the 1st time

On motion of Mr. Armstrong the rules were suspended & the bill read the 2d time by title —

Mr. Seaborn moved to amend as follows

"Amend by paying to the auditor by the 1st day of December in each year" — which did not prevail —

and on motion of Mr. Acree the rules were suspended the bill read the 3d time by title and passed -

H B No 87 Mr. Armstrong introduced House Bill No 87 Entitled An act to prevent non-residents from pasturing and grazing Cattle in Crittenden and Mississippi Counties" - which was read the first time.

On motion of Mr. Acree the rules were suspended and the bill read the 2d time by title -

Mr. ~~Donegan~~ moved to amend by adding Benton County after Mississippi - which was adopted -

Mr. Bell moved to amend by adding after the Counties of Crittenden and Mississippi, and the surrounding Counties - which was adopted -

Mr. Humphreys moved to table the bill and amendments - which did not prevail -

Mr. Allen moved to amend by adding "any Resident of the States West, Texas or New Mexico" - which was adopted -

Mr. Bates moved to table bill and amendments - ~~which~~ did not prevail -

Mr. Louden moved to amend by the following proviso.

Provided said Counties be entirely fenced in by a good staked and Ridered fence everywhere less than high" - which was adopted -

Mr. Crane moved to amend "by allowing the owner of the land that the cattle shall eat grass on, one half of the cattle -

Mr. Hemmingway moved the indefinite postponement of the bill and amendments - which prevailed, and the consideration thereof postponed -

On motion of Mr McKean the House adjourned until to-morrow morning 9 o'clock

Bradley Bench Speaker

Tuesday Morning November 12. 1861

House met.
Roll Called
Present- Messrs Acre Allen Armstrong Bates Beazley Bell Boone Boriden Carroll Cargile of Clark Cargile of Conway Childers Clayton Coulter Crawus Crowell Davis Dunagin DuVal Edmunson Fair Ferguson Gramis Hanson Hays Hemingway Hudson of Jefferson Hudson of Newton ~~Hudson of Jefferson~~ Hull Humphreys Jennings Lett Lones of Chicot Lones of Pike Lones of Yell Kenner Key London Massey Maxwell Mitchell Montgomery Murphy McKean McLean Padgett Pray Putman Ransom Rieff Rison Robinson Saffold Seaborn Sharp Smith Stephenson Thorn Tucker Vance Wheeler Williams Wyse Yell and Gwr Speaker — 65.

The journal of yesterday was read approved and Signed.

The following message was received from the Senate by the hands of their Secretary

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have amended and passed House Bill No 9. entitled an act for the relief of William A. Alexander as Sheriff and Collector of the County of Hempstead.

which is herewith returned with the amendment, for the concurrence of your honorable body.

The Senate have also passed the following four house bills, which are herewith returned viz.

No. 25 Entitled an act for the relief of William Reasoner.

No. 28 Entitled an act Supplemental to an act to aid the cause of education in Bradley, Prairie and Fulton counties approved January 19. 1861.

No 47. entitled an act to change and amend an act passed at the last Session of the General Assembly of the State of Arkansas, entitled an act to protect all lands in Chicot County which are subject to overflow, approved January 10, 1861

No. 51. Entitled an act to authorize the Clerk of Desha county to make out and transmit to the clerk of the county court of Drew County a copy of the assessment of all property taxed in that portion of Desha which was attached to the county of Drew by act of the 21st January 1861 for other purposes.

The Senate have adopted a resolution concerning the examination of the inhabitants of this State which is herewith transmitted for the Concurrence of your honorable bo

body, which is respectfully asked.

John L. Kimbell
Secy. Senate.

Mr Hanison member from the county of Drew came forward and was Sworn in by Mr. Speaker and entered upon the discharge of his duties.

Mr Speaker laid before the House 3 documents from the Secretary of State in relation to the Cairo and Fulton Rail-Road.

Which without being read on motion of Mr. Duval was referred to Select committee on

Mr. Hare from the Committee on Enrollments made the following Report.

Mr. Speaker,

The committee on Enrollments to was referred the following House Bill No 8. Entitled an act to change the time of holding the Circuit court in the 3d Judicial Circuit in the State of Arkansas, have compared the same and have instructed me to Report the Same as Correctly Enrolled

Hare, Chairman

H.J.R No. 13.

Mr. Seaborn offered the following H. J. Resolution No 13.

Resolved, That this House adjourn Sine die on Monday Next 18th Inst. the Senate concurring herein.

Mr. Bell moved its adoption, but before the vote was taken, Mr Hayes offered the following amendment, Amend by Striking out the words "18th Inst." and insert the 25th Inst. in lieu thereof.

Which was read and rejected

The resolution to adjourn Sine die on the 18th Inst. was then adopted.

H.J.R. No. 14

Mr Robinson offered ~~offered~~ House Joint Resolution No. 14. which is as follows, to wit.

Be it resolved by the General Assembly of the State of Arkansas that our Senators in Congress be instructed and our Representatives requested to use their influence to procure the passage of an act of the Congress of the Confederate States of America authorizing the General receiver in the State appointed under the act of the Congress of the Confederate States approved August 30, 1861. To receive the war Bonds and State Scrip in Payment for all lands tenements and hereditaments goods Chattels rights and credits confiscated under said act.

Which was read the first time and

On motion of Mr Bell the rules were twice suspended and the Resolution read the 2d and 3d times & adopted.

Mr. Sett on leave called up House Bill No 9 Entitled an act for the relief of William A. Alexander Sheriff and collector of Hempstead County. and

Senate amendment annexed thereto, as follows (on margin) was read and Concurred in.

Mr. Humphreys from the Committee on Ways and Means made the following report.

Mr. Speaker—

The committee on Ways and means to whom House Bill No 33. was referred have considered the same and I am instructed by the committee to report it back to the House and recommend its rejection

Humphreys
Chairman

Which was read and the Bill was then read, and on motion of Mr Dunagin the Report was accepted and the Bill thereby rejected.

Mr. Boone from the Judiciary Committee made the following report.

Mr. Speaker—

The committee on the Judiciary To whom was referred House Bill No. 1. have instructed me to report the same back to the House and asks to be discharged from the further consideration of the same—

Boone, Chm. Said Com.

Which was read and
On motion of Mr Humphreys the report was adopted and the committee discharged

Mr. Humphreys from the committee on Ways and Means made the following report—

Mr. Speaker—

The committee to whom House Bill No 85 was referred have had the same under consideration and I am instructed by said committee to report the same back to the House and recommend its rejection

Humphreys, Chairman

Which was read and
On motion of Mr. Humphreys the report was adopted and the Bill thereby rejected.

Mr. Boone from the Judiciary committee made the following Report.

Mr Speaker.

The Committee on the Judiciary to whom was referred House Bill No 7. Entitled an act to amend an

Strike out § 2, and insert the following.
Be it further enacted that this act shall take effect and be in force from and after its passage.
Alexander Shaw Lieut Col. & Aid de Camp
Office of the Cavalry of Public Defence
Main Texas

ordinance of the Convention regulating Sales on execution and Instr have duly considered ~~the~~ Saide Bill, amended the Same and instructed me to report the Bill back to the House and recommend its passage,
The amendments is as follows, amend. in the 7th & 9th lines after the words Wheat – the words – oats barley Rye Potatoes and Apples.

Boone Chm.
Judiciary Com.

Which was read and the Bill was read and
On motion of Mr. Boone the report was adopted and the bill read the 3d time by title and passed.

Mr. Boone from Judiciary Committee made the following Reports

Mr. Speaker,

The committee on the Judiciary to whom was refered House bill No 40 Entitled an act defining the duties of the Auditor in relation to Lands of the State – have considered the same and have instructed me to report the same back to the House and recommend its passage –

Also considered House Bill No. 45 To Suspend the application of Certain limitation laws during the present war and recommend its passage

Also considered House Bill No. 12 providing for the repeal of an ordinance of the State convention, creating a Military board for the State of Arkansas – have amended the same and as amended recommend its passage

Boone
Chm.

and the amendments adopted which is as follows
Which was read and adopted, and the Bill read the 3d time
and passed. and
See p. 66
House Bill No 45 was then read the 3d time and passed.
House Bill No 12 was then read and on its passage Mr. Davis called for the yeas and nays.

The call was sustained and the roll called

Those members who voted in the affirmative were
Messrs – Allen Bell Boone Borden Caple of Clark
Caple of Conway Coulter Crawford Crowell Dumas Jr
Duval Edmondson Fair Ferguson Harris Hays Hudson
of Jefferson Hudson of Newton Hull Jennings Jeffries of Chicot – Jones of Pike Jones of Yell Kenner Key
Massey Maxwell Montgomery Murphy McKean McLean
Padgett Putman Rawson Riff Rison Safford Salmon
Sharp Smith Stephenson Thorn Tucker Van Wheeler
Williams Yell and Mr Speaker – 49

Those members who voted in the negative were

Messrs.- Beasley Carroll Childers Davis Hanson Humphreys Mitchell and Wyer— 8.

So the Bill, passed.

~~Mr Boone from the judiciary committee~~

The committee's amendments to House Bill No 12 is as follows to wit,

Sec. 3 a/11 Be it further enacted, That all the powers conferred by the several ordinances of the convention upon the military Board shall be Exercised by the Governor and he shall continue to receive the five dollars per day allowed him by the Ordinance of the Convention for his services under this act for each day he may be actually engaged therein,

~~Which amendment was read and adopted as part of the Bill and then read the 2d time.~~

Mr Boone from the committee on the judiciary made the following report

Mr Speaker

The committee on the judiciary to whom was referred House Bill No 67. To prohibit the sale of property under Execution, have considered the same and have instructed me to report the same back and recommend its rejection.

Also House Bill No 11 Entitled an act to repeal an act Entitled an act to provide for a State Convention, and recommend its rejection

Also recommend the rejection of House Bill No 29 to abolish the office of Solicitor General

Also the rejection of House Bill No 2a providing for the more effectual redemption of War bonds which was read and adopted and the several bills read and rejected as recommended.

Brevet Chairman

On the question of the rejection of House Bill No 2a. Mr Smith called for the Yeas and nays which call was sustained ordered and had with the following result—

Yeas— Messrs. Acree Armstrong Bates Beasley Bee Boone, Bowden Carroll Cayle of Clarke Childers of Marion Craven Creed Davis Dunagin Ezell Ewing of Monroe Hart Hayrison, Hearn Hanson Hays Hemingway Hudson of Jefferson Hudson of Newton Hull Jones of Pike Jones of Yell Kinnier Key Lowell Mabry &

Mitchell Montgomery McKean Padgett Pray Putman Ransom Riff Rison Robinson Saffold Seaborn Sharp Smith Stephenson Thorn Ware Wheeler Wyatt Yell & Mr Speaker — 53 —

Nays — Messrs. Carpio of Conway Coutts Humphreys Lemmon Lett Jones of Chicot Maxwell Murphy McLean Tucker and Williams — 11.

So the Bill was rejected

Mr. Ware from the committee on Enrollments made the following report: —

Mr Speaker

I have the honor to inform you that your committee on Enrollments, did on the 12th day of November 1861, deliver to the Governor for his approval, the following Bills and Resolutions, viz:

Bill No 8
" " 21
" " 5
" " 43
" " 80
" " 14
" " 27 also
House Joint Resolution No 5
" " " " 3
" " " " 7
" " " " 9
" " " " 8

And have instructed me to report the same to this House —

Wm Cheerman —

Which was received —

Mr. Speaker announced that the House having arrived for the Special Order, House Bill No 38, Entitled "an act for the benefit of actual Settlers on the tract of land known as the Cherokee Reserve, in Pope County" was taken up —

Mr. Bell moved to amend by striking out "two and-a-half" and inserting "five" which was decided out of order —

Mr. Donigan moved a reconsideration of the vote adopting the amendment recommended by the select committee which strikes out five

and amended "two and a half" which passed, and the vote was reconsidered.

The question then recurred on the adoption of the amendment which was lost -

On motion of Mr Bowden the rules were suspended the bill read the 3d time by title and passed -

Mr. Humphreys in lieu introduced the appropriation Bill, No 87 entitled an act making certain appropriation for the current fiscal Year" - which was read the 1st time -

86 B. No 87

On motion of Mr. Humphreys the Rules were suspended, the bill read the 2d time by title -

Mr. Boone moved to amend, as follows "That the appropriations herein made shall be paid in War Bonds and Treasury Warrants" -

Which was adopted - and on motion of Mr. Boone the House resolved itself into committee of the whole to consider of said Bill -

Mr. Humphreys also presented the following letter from B. C. Miller auditor -

Auditors Office
Little Rock Ark
Nov. 12. 1861

Hon J. P. Humphreys:

Sir :- In reply to your enquiries of yesterday, I have to state that the appropriation to pay for printing stitching binding and distributing the acts and Journals made at the late session of seven thousand dollars or thirty-five hundred dollars is inadequate, and that the fund is exhausted - besides a balance due for labor done under this head. To pay that balance, and print, stitch fold and distribute the acts and Journals of the present session will require a further appropriation of ten thousand dollars.

The contingent fund of the Executive Department has but a small balance left & it is necessary for the Governor to have a fund on hand to carry on the operations of the Government

An appropriation is needed to enable the Secretary of State to copy and distribute the laws &c.

I also suggest a provision to pay the clerical officers of your body—

Very Respectfully
Your obt Servt
W. F. V. Miller
Condition

Which was read—

After some time spent in deliberation the committee rose and through their chairman made the following report:—

Mr Speaker

The committee of the whole House upon the appropriation bill have considered the same, passed sundry amendments thereto, have risen and instructed me to report the bill back to the house, and as amended recommend its passage—

Rowe Chairman—

Which report was read and adopted—

The amendment is as follows

Amend as that item first will read

To pay balance due on printing, stitching and distributing the acts, the Journals of the Senate, and for printing ~~Statutes~~ and distributing the Journals of the House of the Late Session and the acts and Journals of the present Session &c, was read adopted and then read the 2d time—

Mr Donegan moved to amend by striking out ten thousand and inserting fifteen thousand—

Which on motion of Mr. Thorn was laid on the table—

Mr. Bacon offered to amend as follows—

Amend 2d Item by striking out the word four and inserting "two" — which did not prevail

On motion of Mr. Humphreys the rules were suspended, the bill read the 3d time by title and passed—

Mr. Bacon from the Judiciary committee made the following report—

Mr. Speaker

The committee on the Judiciary to whom was referred sundry bills entitled an

aforesaid mentioned, have considered the same and have instructed me to report them back to the House, and ask to be discharged from the further consideration of the same -

A Bill entitled an act to change the time of holding the Courts in the 3d and 7th Judicial Circuits - a bill to the same purport already heretofore passed this house -

House Bill No 53 Entitled an act to protect property in Arkansas" The main features of said bill having been engrafted in the bill to facilitate the circulation of War Bonds and Treasury Warrants which has already passed this house -

Also House Bill No 25, entitled an act to authorize the Common School and Internal Improvement Commissioners to invest funds in the War Bonds &c - The substance of said bill being included in the bill to facilitate the circulation of War Bonds"

Brone. Chairman -

Which was read and adopted - and the committee thereby discharged from their further consideration

Mr. Farr from a select committee made the following Report:

Mr Speaker:

The Select committee to whom House Bill No 62 was referred, have had the same under consideration and have directed me to report it back and recommend its passage -

Farr Chairman -

Mr. Farr moved the adoption of the report which did not prevail, and the bill was placed on the Calendar -

Mr. Craven, from Judiciary ~~a Select~~ committee made the following report:

Mr Speaker:

The committee on the Judiciary to whom was referred House Bill No 44, have had the same under consideration, and in view of the distressed state of the country, and unsettled condition of its financial affairs, they herewith return the bill, and recommend its passage

Craven, one of Committee

Mr. Cravens moved the adoption of the report which did not prevail, and the bill was placed on the Calendar —

Mr. Key on leave introduced House Bill No. 88. Entitled An act to Charter the Exchange Bank H.B. No 88 which was read the 1st time —

On motion of Mr. Key the rules were suspended and the bill read the 2d time by title —

Mr Seaborn introduced a substitute for the bill entitled An act to establish a General System Sub. H.B. 88. of Free Banking in the State of Arkansas," which without being read, together with the Bill No 88, was on motion of Mr. Seaborn referred to the Committee on Banks —

Mr Duval on leave introduced House Bill H B No. 89 Entitled an act for the relief of the sick wounded, and disabled Volunteers of Arkansas" — which was read 1st time

On motion of Mr. Duval the rules were suspended and the bill read the 2d time by title —

Mr. Jones of Chicot moved to amend as follows. Amend by striking out the words "Military Board" and inserting the word "Governor" in their place — which was adopted —

And on motion of Mr. Mitchell was referred to the Committee on Ways and Means —

Mr. Dunal presented a letter in relation thereto, which without being read was referred to the committee — with the bill —

Mr. Jones of Chicot made the following report from a select committee —

Mr. Speaker:—

The select committee to which was referred House Bill No 80, entitled An act in relation to the Marine Hospital at Napoleon in the County of Desha, has had the same under consideration and beg leave to report a substitute therefor and recommend its passage —

Jones, Chairman

Which was read and adopted, and the substitute House Bill No [redacted], Entitled An act H B No 80 in relation to the Marine Hospital at Napoleon, was read the first time —

On motion of Mr. Jones of Chicot, the

rules were twice suspended the bill read the 2d and 3d times by title & passed —

On motion of Mr. Dorsey the House took a recess until 7 ½ of the Clock

7 o'clock P.M.

House met
Roll Called — and a Quorum present
Mr. Beasley from a Select Committee made the following report

Mr Speaker —

Your committee on the judiciary to whom House Bill No 10 & to 54 were referred Respectfully report that they have considered the same & herewith submit a Substitute for said Bills and recommend its passage

Geo. W. Beasley Of
Judiciary Committee

S.B. No 10

Which was read and adopted Entitled an act to repeal an act entitled an act to prevent the people from being defrauded with Bank Paper & for other purposes

Substitute House Bill No 10, was read the first time and

On motion of Mr Smith the rules were suspended and the Bill read the 2d time and

On motion of Mr Humphreys the rules were again suspended and the bill read the 3d time by title and passed.

Mr. Humphreys from the committee on Ways and Means

Mr Speaker

The committee to whom House Bill No 50 was referred have considered the same and I am instructed by said committee to report a Substitute for said House Bill No 50 and recommended its passage

Humphreys
Chairman

S.H.B. No 50

Which was read and adopted and Substitute House Bill No 50 "Entitled an act for the relief of citizens of this state who own land warrants and for other purposes" was read the first time and, On motion of Mr Smith the rule were suspend-

ed and the Bill read the 2d time by title and
On motion of Mr Humphreys the rules were again
suspended and the bill read the 3d time by title and
passed.

Mr Jennings from the Committee on Militia made
the following report

Mr. Speaker

Your Committee on Militia having ta-
ken under advisement the bill for the relief of Captains
John F Hill Dalton H Cox and W. F. Blakemore, and ac-
companying papers to them referred having duly considered
the same, would respectfully beg leave to report adver-
sely thereto and recommend its rejection

Jennings
Chairman

Which was read and adopted and the Bill thereby
rejected.

Mr Humphreys from the Committee on Ways and
Means made the following report.

Mr Speaker,

The committee to whom House Bill
No 69 was referred have had the same under consid-
eration and I am instructed by said committee to
report the same back to the House and recommend
its passage.

Humphreys
Chairman

Which was read and adopted and the Bill read
the 3d time and passed.

Mr Boone from the Committee on the Judicia-
ry made the following report

Mr Speaker

The committee on the Judiciary to whom
was referred a resolution submitted by Mr Yeee of
Jefferson to the purport that said Committee be
instructed to report a bill to provide for the payment
of the war tax imposed by act of the Provisional Con-
gress of the Confederate States approved August 19, 1861
and for other purposes — After due deliberation have
prepared the accompanying bill, and instructed me to
report the same to the House and recommend its passage.

Boone Chm

Which was read and adopted, and

H. B.
No 91

House Bill No 91. Entitled "an act to provide for the payment of the War Tax imposed by act of the provisional congress of the Confederate States approved August 19th 1861, and for other purposes, was read the first time and
On motion of Mr Cyle the rules were Suspended and the Bill read the 2d time and
On motion of Mr. Cunningham the rules were again Suspended and the bill read the 3d time by title and passed.

Mr Ware from the Committee on Enrollments made the following report.

Mr Speaker

The Committee on Enrollments to whom was referred the following House Bills No 77, 25 - 28, 51 and 9 have compared the same and have instructed me to report the same as correctly Enrolled.

Ware, Chairman

Which was received

Mr. Duval from the Committee on Confederate Relations made the following report

Mr Speaker

The committee on Confederate Relations to whom was referred House bill No 49 to be entitled an act for the relief of the people of this State have had the same under consideration and have instructed me to report the same back to the House without amendment and recommend its passage

Duval
Chm

Which was read and adopted and the bill read the 3d time by title and passed.

Mr. Humphreys from the Committee on Ways and Means made the following report

Mr Speaker,

The committee on Ways and Means to whom was referred House Bill No 46, have considered the same and are instructed by said committee to report the bill back to the House and recommend its passage

Humphreys
Chairman

Which was read and adopted and the bill read the 3d. time and passed.

Mr Farr called up from the Calendar House Bill No 62. Entitled an act for the relief of Francis P. Redmond of Monroe County Arkansas"

Mr Brazley offered the following amendment,

Amend By Striking out "One Thousand" and inserting "Six Hundred" in place thereof.

Which was read and adopted and the Bill read the 3d time by title and passed

Mr Hemingway was called to the chair

Mr. Carroll from the Committee on Claims made the following report

Mr Speaker,

Your Committee to whom was referred house bill No 78, have had the same under consideration and have instructed me to report the same back to this House and recommend its passage

Carroll, Chairman

Which was read and adopted and the Bill read the 3d time and passed.

Mr Carroll from the Committee on Claims made the following report.

Mr. Speaker

Your Committee to whom was referred House Bill No 58 have had the same under consideration and have instructed me to report the same back and recommend its passage

Carroll, Chairman

Which was read and the Bill was read the 3d. time by title and passed.

Mr Carroll from the same Committee made the following report

Mr Speaker

Your Committee to whom was referred House Bill No 71, have had the same under consideration and instructed me to report in favor of its passage

Carroll, Chairman

Which was read and adopted, and the Bill read the 3d time by title and passed.

Mr Carroll from the same Committee made the following report,

Mr Speaker

Your Committee to whom was referred House Bill No 12 have had the Same under consideration and instruct me to report the following amendment and recommend the passage of the bill as amended, Amend by Striking out Two hundred and inserting one hundred and Sixty five

Carroll Chairman

Which was read and adopted and the amendment proposed by the committee was read and adopted and then read the 2d time,

The resolution was then read the 3d time as amended and ~~passed~~ adopted

Mr Carroll from the Same Committee made the following report

Mr Speaker

Your Committee to whom was referred House Bill No 85 - have had the Same under consideration and instruct me to report adversely thereto.

Carroll Chairman

Which was read and adopted and the Bill thereby rejected,

On motion of Mr Smith Messrs, Williams Clayton and Jennings were added to the committee on banks,

H B No 92

Mr Harrison introduced House Bill No 92 Entitled an act to amend the law concerning negotiable paper.

Which was read the first time, and

On motion of Mr Hemingway the rules were suspended and the bill read the 2d time by title and On Motion of Mr. Humphreys the bill was referred to the Judiciary committee.

H, B, No. 93.

Mr Jones of Chicot introduced House Bill No 93, Entitled an act to change Section 3 of Chapter 87 of Gould's Digest

Which was read the first time and

On motion of Mr Jones of Chicot the rules were suspended and the bill read the 2d time by title,

Mr. Humphreys offered the following amendment
Be it further enacted that this act shall apply
to Chicot county alone,
Which was read and Mr Allen offered the
following amendment to the amendment, amend
by saying that the rails shall be made out of
oak timber,
Which was adopted and the amendment as
amended was rejected,
On motion of Mr. Mitchell the bill was refer-
red to the committee on Agriculture.
On motion of Mr London the House ad-
journed till tomorrow morning 9 of the clock.

Bradley Bunch
Speaker

Wednesday November 13, 1861.

House met pursuant to adjournment

Roll called

Present— Messrs, Acre Allen Armstrong Bates Beazley Bell Boone Borden Carroll Carsile of Clark Carsile of Conway Childers Clayton Coulter Cravens Crowell Davis Dunagin Durrel Edmondson Farr Ferguson Harris Harrison Hayes Hemingway Hudson of Jefferson, Hudson of Newton Hull Humphreys Jemmy Lett Jones of Chicot Jones of Pike Jones of Yell Kinner Key London Massey Maxwell Mitchell Montgomery Mumpehy McKean McLean Padgett Pennington Putman Rainsom Rieff Rison Robinson Safford Seaborn Sharp Smith Stephenson Thorn Tucker Ware Wheeler Williams Wyse Yell & Mr Speaker— 64

The journal of Yesterday was read approved and Signed

Motions and resolutions were in order

Mr. Duval moved that the vote adopting House Bill No 12. be reconsidered, which motion prevailed: and the vote was reconsidered —

Mr. Duval moved to amend by striking out all that part of the 3d Section which reads "paying the Commissioners five dollars per day" which was adopted.

The bill having been reported to the Senate On motion of Mr. Duval the Clerk was instructed to request its return:—

The following message was received from the Senate by the hands of their Secretary.

Mr Speaker.

I am instructed in compliance with the request of your Honorable body to return House Bill No 12 entitled "An act to repeal an Ordinance of the State Convention, creating a Military Board for the State of Arkansas—

John D, Knox Secy—

Which was read and received —

The question being on the passage of said bill as amended, it was accordingly read 3d time by title and passed —

Mr. Ware from the Committee on Enrollments made the following Report —

Mr. Speaker

I am instructed to inform your ~~honorable body~~ that your committee on Enrollments

did on the 13th day of November 1861, deliver to the Governor for his approval the following House bills No 9-25-28-47. & 51, and have instructed me to report the same to this House

Ware, Chairman

Which was received.

The following message was received from the Senate by the hands of their Secretary

Mr. Speaker

I am instructed to inform your honorable body that the Senate have assented to the following House bills viz.

No. 3 Entitled an act to amend the revenue laws of this state ~~strike out certain words wherever they occur in the laws of this State and insert others in lieu thereof~~

No 52 Entitled an act to Strike out certain words wherever they occur in the laws of this state and insert others in lieu thereof

No 59 Entitled an act ammendatory to an act to incorporate the Helena Insurance company

No 65 Entitled an act to provide for the election of a Tax assessor and collector in the county of Hempstead

No 72 Entitled an act to provide for collecting the taxes of Phillips county

No 79 Entitled an act ammendatory of an act entitled an act ammendatory of the law concerning schools and school lands in the counties of Columbia and Prairie approved January 21st 1861.

No 83 Entitled an act to authorize the Register of the land office at Little Rock to appoint a deputy

The Senate have rejected House bill No. 66. Entitled an act to prohibit the sale of ardent Spirits within one mile of the Baptist Church at Lunenburg in the county of Izard

Said 8 House Bills are herewith returned

The Senate have passed the following Senate bills viz.

No 3 Entitled an act for the benefit of Special Judges and prosecuting Attorneys.

No 12 Entitled an act for the benefit of persons claiming preemptions on Swamp lands and for other purposes.

No 19 Entitled an act to authorize A C Campbell present Sheriff of Carroll county to collect the taxes in said county for the year 1860

No 25. Entitled an act providing for the election of a Tax collector in Columbia county.

Said four Senate bills are herewith transmitted for the assent of your honorable body, which is respectfully asked

John D. Kimbell
Secy. Senate.

Mr. Hemingway moved to reconsider the vote by which the report recommending the rejection of House Bill No. 85 was adopted.

Which motion prevailed and the vote was reconsidered. The question was then the adoption of said report, Which was refused,

The bill was then read for information and Mr. Rieff offered the following amendment, Amend by adding, "Provided the same rights and privileges are granted to the Tax payers of said counties, who are or may be in arears,"

Which was read and adopted and then read the 2d time

Mr Wheeler offered the following amendment - Amend by striking out the first Section after the Enacting clause and insert 2d Section of said bill, after the "words "be it enacted"

Which was read and adopted and then read the 2d time.

Mr. Harrison offered the following amendment. Amend by adding after the words "War Bonds" and State Scrip" where they first occur in the bill, — and that they be released from the penalty incurred by the defaults of their said principal.

Which was read and

Mr London offered the following amendment to the amendment, - Amend by striking out the words State Scrip where the same may occur, and insert in lieu thereof, Treasury warrants or Treasury Notes

Which was read and adopted, and the amendment as amended was read and adopted.

Mr Bell offered the following amendment, amend by adding "and that all Sheriffs and the Tax payers in the various counties in this State be and they are hereby entitled to like privileges.

Which was read and

Mr Cargile of Clark offered the following amendment to the amendment, Amend by inserting after the words State, the following, "Such Sheriffs and Tax payers as are similarly Situated"

Which was read and
On motion of Mr Humphreys it was laid on the Table.
The question was then on the adoption of the amendment which the House refused
And the Bill as amended was read the 3d time and passed.

Mr. Cowgill of Colcock on leave introduced the following resolution

Resolved, That his Excellency Henry M Rector be requested to communicate to this House information in relation to the transfer of State troops munitions of war &c. from this State to the Confederate States.

Which was read and adopted

Mr Duval from the Committee on Confederate Relations made the following report

Mr Speaker—

The committee on Confederate Relations to whom was referred house joint Resolution No 11 to secure pension claims to Soldiers as they formerly drew from the late United States Government, have had the same under consideration and have instructed me to report that it is a Subject of much interest to a meritorious class of our citizens who are deserving the attention of the Confederate Government, whenever the Government shall be in a condition to do so. but they conceive any instruction from us on the subject at present as premature. We are confident that whenever the affairs of our Government will justify it Congress will deal liberally with all those citizens of Southern ~~States~~ who were on the pension list of the old Government, as well as make ample provision for those who may be entitled to pension for their services in the present war. The committee deemed it wise to leave them in the hands of the Confederate Government relying with confidence upon its justice and liberality. They therefore recommend the rejection of the Resolution.

Duval, Chairman

Which was read and adopted, and the Resolution thereby rejected.

Mr Boone from the Committee on Enrolling made the following Report—

Mr Speaker

The committee on Enrolling to whom

was referred House Bill No 42, Entitled "an act to provide for the payment of the Confederate War Tax, have examined the same and find that the subject matter of said bill is embraced in the bill reported by the Chairman of this Committee to this House upon the same subject and for the same purpose, and passed by the House, and so no necessity exists for the passage of this bill now therefore the committee have instructed me to report the same back to the House and ask to be discharged from the further consideration of the same -

Brown, Chairman -

Which was read and adopted, - and the committee accordingly discharged from the the further consideration of the bill

Mr. Carroll offered the following resolution

Resolved

The Governor is hereby requested to report to this House at his earliest convenience what arrangements have been made, if any by the "Military Board" for clothing Arkansas troops transferred to the Confederate service and particularly the tenth Regiment commanded by Col. Merrick

Which was read and adopted

H.B. No. 94

Mr. Pennington on leave introduced House Bill No. 94. Entitled an act to change the time of holding the Courts in the Fifth Judicial Circuit of this State.

Which was read the first time and

On motion of Mr. Pennington the rules were suspended and the bill read the 2d time by title and ~~passed~~

On motion of Mr. Davis the rules were again suspended and the bill read the 3d time by title and passed.

H.B. No 95

Mr. Lones of Yell on leave introduced House Bill No 95 Entitled an act to amend an ordinance for the relief of such citizens of the State of Arkansas as may be engaged in the Military Service of the State of Arkansas or of the Confederate States adopted 2d day of May A.D. 1861.

Which was read the first time, and

On motion of Mr. Lones of Yell the rules were suspended and the bill read the 2d time by title

Mr. Lones offered the following amendment.

amend by adding The following – "provided that the provisions of this act shall extend to all teamsters employed in the State or Confederate Service,"

Which was read and adopted and then read the 2d time

The bill was then read the 3d time by title and passed.

The following message was received from the Governor by the hands of Wm M. Matheny his private secretary.

Mr Speaker,

I am instructed by the Governor to inform your Honorable Body that on the 12th instant he approved and signed the following acts to wit, an act supplemental to an act approved January 10th 1861, Entitled an act to establish Separate Courts in the county of St Francis,

An act to confer certain powers upon the county court of Crittenden county during the war,

An act entitled an act to authorize the county and probate ~~courts~~ judge of Saline county to hold a special term, and also to change the time of holding the Probate Court of said County

An act to amend the Road law of this State as applicable to the Counties of St Francis and Poinsett,

An act to change the time of holding the circuit courts for the Madison district of the county of St. Francis

An act to change and regulate the time of holding the Circuit courts in the third judicial Circuits in the State of Arkansas.

An act changing the time for holding the Circuit Courts of the 6th Judicial Circuit

House Resolution to increase the mail route from Batesville in Independence County to Salem in Fulton Co—

House Resolution to procure a tri weekly coach mail line from Waldron in Scott County to Fort Smith.

Resolution concerning mail route from Waldron in Scott Co. to Clarksville.

Resolution to procure a weekly mail line from Fort Smith to Rocky Comfort in Lawrence County

Resolution to procure a tri weekly coach

mail line from Ozarks by way of Blantonville to Bentonville semi-weekly—

Same also instructed to report that on the 13th of November the Governor approved and signed an act to be entitled "an act for the relief of Wm Rasmus—

An act to authorize the Clerk of Desha County to make out and transmit to the Clerk of the County Court of Drew County a copy of the assessment of all property taxed in that portion of Desha County which was attached to the County of Drew by act January 21st 1861

An act supplemental to an act to aid the cause of education in Bradley Drew and Fulton Counties, approved January 19, 1861.

An act to change and amend an act passed at the last session of the General Assembly entitled an act to protect all lands in Chicot county which are subject to overflow

An Act for the relief of Wm A Alexander Sheriff and Collector of Hempstead County.

Wm M. Mathiney
Private Sec'y

Nov 13-1861—

Which was read & received.

HB No 96 Mr Duval on leave introduced House Bill No 96 Entitled an act concerning Suits Still pending in the Supreme Court of the United States,"

Which was read the first time and

On motion of Mr Duval the rules were suspended and the bill read the 2d & 3d times by title and passed

H.B. No 97 Mr Seaborn On leave introduced House Bill No 97 Entitled an act for the relief of certain citizens of Arkansas

Which was read the first time and

On motions of Mr Beazley the rules were suspended and the bill read the 2d time by title

Mr Smith offered the following amendment amend by adding That he be paid the same pro rata amount that is paid others for like services

Which was read and adopted and then read the 3d time

Mr Safford offered the following amendment—

amend by saying that this act take effect and be in force from and after its passage
Which was read and adopted and then read the 2d time
Mr McLean offered the following amendment
Amend by including E. S. Cowan, a Deputy Marshall who has taken the census of the Chickasaw and Choctaw Nations"
Which was read and rejected
Mr Jones of Chick offered the following amendment
Amend by Saying all other persons in this State to whom the United States are indebted for any services whatever done by such person by contract with the United States,
Which was read and adopted and
On motion of Mr Bates the Bill and amendments was referred to the committee on claims.
Mr. Pettit from the Committee on Petitions and Memorials, made the following report
Mr. Speaker —
the committee on petitions and memorials to whom was referred the joint resolution instructing our delegates in the provisional Congress to urge the passage of a law authorizing the Confederate Government to purchase Cotton &c. have instructed me to report favorably and recommend its adoption
Pettit Chairman
Which was read and adopted, and the memorial read the third time and adopted -
Mr. Pettit from same Committee made the following report
Mr - Speaker
The committee on Petitions and Memorials have had under consideration a petition from the citizens of Scott County accompanied by a bill asking to be released from the payment of six Thousand two hundred dollars. borrowed from the internal improvement Commissioners of said county for the purpose of building a Court House for said County. beg leave to report adversely and recommend the rejection of the bill -
Pettit Chairman
Which Report was read and adopted and the bill Kindly rejected -
Mr. Pettit from same committee made [illegible]

Mr. Speaker

The Committee on Petitions and memorials have had under consideration a petition from the citizens of Scott Co praying that a license be granted to Allen Marshall a citizen of said county to retail liquor at any place in said county - beg leave to report against the prayer of the Petitions -

Jett Chairman

Which was adopted and the prayer of the petitioners thereby refused -

Mr. Jett from the same committee made the following report

Mr Speaker

The committee on memorials and petitions to whom was referred the petition of Samuel Edmundson to pay for a horse furnished by him to the military service.

Also the petition of Earl Dwyer for pay for a horse lost in the military service,

Also the petition of J.M. Rand for pay for a horse saddle and Bridle lost in the military service have had the same under consideration and have directed me to report that your committee find no just reason why the Legislature should interfere in behalf of said petitioners - and recommend the rejection of the prayer of the petitioners

Jett Chairman

Which was read and Mr Duval called for a division of the question on its adoption - which was had, and the divisions severally adopted - and the prayers of the petitioners thereby refused

Mr. Beazley from the Judiciary Committee made the following report

Mr Speaker:-

Your Committee on the Judiciary to whom House Bill No 20 was referred, have considered the same and instructed me to report the same back to the House and recommend its passage

Beazley of Jud. Com.

Which was adopted, the bill read the 3d time by title and passed -

Bl B No 98. Mr. Bell on leave introduced House Bill No 98 Entitled an act to authorize executions and

ministrations and guardians to loan cotton and others. produce to the Confederate States" which was read the 1st time

On motion of Mr. Bell the rules were suspended, the bill read the 2d time by title and

On motion of Mr. Bell was referred to a select committee of five -

Mr Speaker appointed Messrs. Bell, Bell, Smith, Jones of Bledsoe and Louden such committee.

Mr. DeVal presented the following Resolution

Resolved- That the Clerk of this House be directed to furnish members with envelope paper -

Which was adopted -

Mr. Coulter on leave introduced House Bill
H.B. No 99 Entitled a bill for the relief of such counties
No 99 and persons as have expended their money to fit out the Volunteers of this State for the State Service or confederate Service" which was read the 1st time

On motion of Mr. Coulter the rules were suspended and the bill read the 2d time by title.

And on motion of Mr DeVal was referred to the committee on Petitions and Memorials -

Mr. Ferguson on leave introduced House
H.B. Bill No 100 Entitled an act to repeal an act
No 100 to attach a part of Sevier County to Randolph County - Which was read the 1st time -

On motion of Mr. Farr the rules were suspended and the bill read the 2d time by title.

And on motion of Mr Louden the bill was referred to a select committee of three -

Mr Speaker appointed Messrs. Ferguson Shemp and Mitchell such select committee -

Mr. Jones of Bledsoe on leave presented the following Resolution

Resolved - That the County of Polk be divided by a line running from East to West through the County Site and the North half be named Davis and the South part retain the name of Polk -

Which was read - Mr. Allen moved to lay the Resolution on the Table - which was withdrawn

And on motion of Mr Louden the Resolution was made Special order for Tomorrow 7 o'clock P.M.

Mr. Bates on leave introduced House

H.B. No 101 Bill No 101, Entitled "an act for the benefit of Creditors"

Which was read the 1st time -

On motion of Mr. Bates the rules were suspended and the bill read the 2d time by title -

Mr. Kenner introduced the following

Sub. H.B. No 101 As a Substitute

An Act. entitled an act to protect the Creditor by adjustment:-

Sec. 1st Be it enacted by the General Assembly of the State of Arkansas, That any person or persons having a substantial debt against another or others, may require the debtor or debtors to fairly adjust the claim or account by giving note or bond to the creditor bearing lawfull interest from date until paid, before he she or they can avail him, her or themselves of any stay or stop law -

Sec 2d Be it further enacted That any debtor or debtors, so desiring to take advantage of any stay or stop law who shall refuse to comply with the requisitions of section 1st in this act. Legal process may be had to collect the debt as now prescribed by law -

Sec 3d Be it further enacted that this act take effect and be in force from and after its passage —

Which was read, adopted, and then read 2d time by title -

Mr. McLean moved to lay the Bill on the table.

On which Mr. Bates called for the yeas and nays which was sustained -

And on motion of Mr. Mitchell the House adjourned until 9 o'clock tomorrow

Bradley Bunch
Speaker House
of Reps

Thursday Morning November 14, 1861.

House met pursuant to adjournment

Roll called

Present — Messrs. Acree Allen Armstrong Bates. Beazley Bell Boone Bowden Carroll Cargile of Clark Cargile of Conway Childers Clayton Coulter Cravens Crowell Davis Dunagin DuVal Edmondson Farr Ferguson Harris Harrison Hays Hemingway Hudson of Jefferson Hudson of Newton Hull Humphreys Jennings Nett Jones of Chicot Jones of Pike Jones of Izard Kenner Key London Massey Maxwell Mitchell Montgomery Murphy McKean McLean Padgett Pennington Perkins Putman Ransom Riff Rison Saffold Seaborn Sharp Smith Stephenson Thorn Tucker Ware Wheeler Williams Wyse Yell and Mr. Speaker — 66.

The journal of yesterday was read approved and Signed

Mr Ware from the Committee on Enrollments made the following report.

Mr. Speaker,

I am instructed by the committee on Enrollments to inform you they have had under consideration House bills No's. 72-59-52-79-83-65, and after comparing the same have instructed me to report said Bills as correctly Enrolled

Ware Chairman

Which was received

Mr Speaker stated that the unfinished business of yesterday would be taken up, Which was the consideration of Substitute

H.B. Sub No. 101. House Bill No 102, Entitled an act to protect the Creditors by adjustment

The question being on laying the bill on the table, on which motion the Ayes and nays had been called and the call sustained and the Roll called with the following result.

Yeas- Messrs. ~~Allen~~ Beazley Carroll Cargile of Conway Childers Clayton Davis Harrison Hays Hemingway Hudson of Jefferson Jones of Pike Key London Massey Maxwell McLean Padgett Pennington Seaborn Sharp Stephenson Thorn Tucker Wheeler Wyse Yell 26

Nays — Messrs. — Allen Armstrong Bates Bell Boone Bowden Cargile of Clark Coulter Cravens Crowell Dunagin DuVal Edmondson Farr Ferguson Harris Hudson of Newton Hull Humphreys Jennings Nett Jones of Izard Kenner Mitchell Montgomery Murphy Putman Ransom Riff Rison Robinson Saffold Smith Ware Williams and Mr. Speaker — 36.

So the House refused to lay the Bill on the table.

Mr. Smith offered the following amendment = amended by adding — Provided however that this act shall not

apply to any person who is now or who may hereafter enter the service of the Confederate States or of the State of Arkansas as a Soldier— while said Soldier remains in said service,

Which was read and adopted and then read the 2d time.

On motion of Mr. Gill the Bill and amendment was referred to the Judiciary committee.

Mr. London stated that Mr. Stone the member from the county of Jackson was present who came forward and was sworn in by Mr. Speaker and entered upon the discharge of his duty.

Mr Speaker stated that motions and Resolutions were in order

Mr. Key presented a letter from Thomas J. Hudson, President of ... Planters Convention relative to the proposed convention, together with the plan proposed—

Which letter was read, and with accompanying papers referred to Committee on Agriculture—

Mr. Wheeler presented the following Resolution:

Resolved - That the Committee on Militia be instructed to enquire into and report to this House why the soldiers at the Arsenal are not allowed a sufficient quantity of food to appease their hunger, and why they are fed on bread which is full of worms, bugs, &c—

Which was laid—

Mr. Harrison from the Committee on the Judiciary made the following report—

Mr Speaker:

The Committee on the Judiciary to whom was referred House Bill No 81 and the amendment proposed thereto have had the same under consideration and have instructed me to return the same to the House, with the accompanying bill as a substitute therefor and to recommend its passage—

Harrison of of Committee

Which was read and adopted— and Sub-
Sub. H. B. No. 81 stitute House Bill No 81— entitled "an act to amend the 11th Section of Chapter 47 of Gould's Digest in relation to Special Judges of the Circuit Courts of this State—

was read the 1st time -

On motion of Mr Harris on the rules were suspended and the bill read the 2d time by title -

Mr. Humphreys moved to amend by striking out "six" and insert "five" in lieu thereof - which was adopted - and then read the 2d time -

On motion of Mr. Bates the rules were again suspended, the bill read the 3d time by title and passed.

The following message was received from the Senate by the hands of their Secretary:-

Mr Speaker:-

I am instructed to inform your honorable body that the Senate have passed House Bill No 13, entitled "an act to repeal an Ordinance to authorize the levy of a tax for military and other purposes which is herewith returned -

The Senate have amended and passed House Bill No 17, entitled "an act to repeal the 2d Section of an Ordinance of the State Convention entitled an Ordinance to provide revenue for the State of Arkansas which is herewith returned with the amendments attached for the concurrence of your honorable body which is respectfully asked -

The Senate have rejected the following House Bills to-wit:-

No 18 entitled an act amending an act incorporating Mount Holly church and Academy in the county of Union approved December 17th 1860

No 61 entitled an act for the relief of Richard I Stovall of Jefferson County

No 75 entitled an act for the relief of Christopher Colgan and Humphrey Hogan

No 76 Entitled an act to increase the salary of the Secretary of State

Said four bills are herewith returned

The Senate have passed the following Senate bills to wit:

No 8 to be entitled an act for the relief of Newton S. Love Clerk of Clark county and legalizing the acts of his deputies

No 17 to be entitled an act to repeal Section 3d of an ordinance to provide for the relief of families of volunteers in actual service in certain cases

No 18 to be entitled an act to suspend the

advertisement and sale of lands for taxes belonging to alien enemies in the State of Arkansas and to protect the interest of the State in the payment of said taxes.

No 22 to be entitled an act for the relief of certain persons engaged in the Military service of the State of Arkansas and of the Confederate States and their Securities,

No. 26 to be entitled an act to incorporate the trustees of the Presbyterian Church of Washbrook Hempstead county Arkansas

No 15 to be entitled an act to Suspend the collection of debts in the State of Arkansas.

Said Six Senate bills are herewith transmitted for the assent of your honorable body which is respectfully asked.

The Senate have refused to concur in House resolution - setting apart Friday as a day of thanksgiving in pursuance of the Proclamation of the President

Said Resolution is herewith returned

John D Kimbell

Which was read and received - Secy. Senate.

Mr. Crane from the Committee on Enrollments made the following report:

Mr Speaker -

I have the honor to inform you that your committee on enrollments did on the 4th day of November 1861, deliver to the Governor for his approval the following House Bills No 8, 12, 59, 52, 79, 83 and 65. and he was instructed me to report the same to this House.

Crane, Chairman

Which was received

Mr. Bayley on leave introduced

H B. No 102 House Bill No 102, entitled "An act for the relief of the Volunteers of Arkansas. and for other purposes - which was read the first time

On motion of Mr. Crane the rules were suspended and the bill read the 2d time by title -

Mr. Cravens moved to amend by inserting after the word "Arkansas" in 3d Section

"And that there is no other witness present by whom the same facts can be proved"

which was adopted and then read the 2d time —

and on motion of Mr. Bayley the rules were again suspended. the bill read the third time by title and passed —

Mr. Jones from the committee on Agriculture made the following report:—

Mr. Speaker

The committee on Agriculture to whom was referred House Bill No 93 Entitled "an act to change Section 8, Chapter 87 of Revised Statutes" —

Having considered the same instruct me to report the bill to the house, and recommend its passage with the following amendments — "Insert 4½ in lieu of 4, in the 1st line 1st Section, and Strike out the balance of said Section after the word "lap".

Thos. Chenoweth —

Which was read and adopted — and the amendments recommended also adopted — and read 2d time —

Mr. Rief moved to amend as follows:

"In place of "one foot" insert "6 inches" —

which was adopted and read 2d time —

Mr. Jones of Christ offered to amend as follows:

"Amend by saying that the cracks between the rails shall not be over 4 inches wide from the ground, three feet up —

Which did not prevail —

Mr. Crowell moved to amend by saying the bottom rails shall be 14 feet long and made of Gum or Poles" — which was withdrawn.

Mr. Jones of Christ moved to amend by saying "that the provisions of the bill shall extend to the Counties of Christ and Cauchita only" — which was adopted —

Mr. Montgomery moved to amend by adding Madison County, which was declared out of Order —

The bill was then read 3d time by title and passed

Mr. Key from the Joint Committee on Penitentiary made the following report

Mr Speaker.

The Joint Committee upon the Penitentiary would respectfully report and report that they repaired to the penitentiary on the 16th Novem-

and upon Examination found Said institution in a prosperous condition, and that Mr. A.L. Ward the contractor engaged authorized and required by an act of the last General Assembly to construct upon Said Penitentiary grounds an additional work shop Keepers house and cells and apartments for female convicts, and for the Safe keeping clothing Subsistance and humane treatment of the convicts thereof for the term of eight years from the date of Said contract, has nearly completed Said work which we find to be done in a workmanlike and durable manner, and of such material as contemplated by Said act

In addition the yard within the wall of Said Penitentiary has been graded and graveled tending to the cleanliness and health of the Convicts and much other valuable work has been done not contracted for and for which extra labor Mr Ward claims no compensation all resulting to the convenience and health of the prisoners and interest of the State and would further report that he has Sunk a well fifteen feet in diameter and upwards of 60 feet in depth to be used as a reservoir for water in order to run machinery for manufacturing purposes.

Your Committee would State that the convicts Seem to be in a healthy condition and that they enter upon their duties cheerfully, good order prevails and the discipline adopted tends to the interest of the convicts Safety of the institution, all of which clearly evidences to your committee the unrivaled ability of the Contractor To manage and control Such an institution

Your committee take pride in stating that the penitentiary has not been used exclusively for individual interest, but that Mr Ward has made 3000 Suits of clothing gratuitously for the Soldiers and made 8000 pair of Shoes, 250 wagons (or Set of wagon and artillery harness 500 drums 200 tents 600 knapsacks 500 Cartridge boxes for the Southern army at reasonable rates; and had it not been for the blockade he would have imported machinery from Europe and would have been at this time manufacturing cotton and woolen goods.

The Penitentiary under the present management promises to be an institution of great utility to the State and at the expiration of Eight Years a source of Revenue to the State

Your Committee having faithfully performed their duty ask to be discharged from the ~~resolution~~ & investigation thereof

Thos L. Key Chm House Com.
G.W. Lemoyne " Senate Com.

Which was read & received

Mr. Bell from the Committee on Education to whom was referred Senate bill No 56 entitled an act to amend an act to aid the Arkansas Institute for the Blind approved January 16, 1861, have had the same under consideration and have instructed me to report the same back to the Senate and recommend the passage of the accompanying substitute

E. P. Bell, Chm

Which was read and adopted - and Substitute Senate Bill No 56, entitled "An act to aid the Arkansas Institute for the Blind," was read the 1st time -

Leb. H. B No 56

On motion of Mr. Bell the rules were suspended, the bill was read the 2d & 3d times by title and passed -

Mr. Blumpkins ~~to leave~~ introduced Senate Bill No 103 Entitled an act to punish Officers or Officers for embezzling the public money, or moneys of this State, which was read the 1st time -

H B. No 113

On motion of Mr. Blumpkins the rules were suspended, the bill was read the 2d & 3d times by title and passed

Mr. Bergman made the following report:

Mr Speaker:

The Select Committee to whom was referred House Bill No 100 have had the same under consideration and have directed me to report it back and recommend its passage

Ingram, Chm

Which was read - and bill ordered for information

Mr. Mitchell from same Committee made the following minority report:

Mr Speaker:

The undersigned of the Select committee to whom was referred House Bill No 100, begs leave to dissent from the opinion expressed

in the report of the Chairman of said Committee - It appears that by a petition very numerously signed by citizens of Lawrence County a part of the same county was attached to the County of Randolph, at the last session of the Legislature - that in the opinion of the undersigned there is no reason to believe that said citizens are dissatisfied with the act aforesaid, as they have presented no petition for a change in their County lines - For these reasons the undersigned would respectfully recommend the rejection of the bill -

Mr Mitchell, one of Select Committee

Which was read and after discussion adopted - and bill thereby rejected

Mr Lindsay was called to the Chair -

Mr Speaker on leave called up Senate Bill No 19, entitled an act to authorize R.C. Campbell present Sheriff of Carroll County to collect the taxes in said county for the year 1861 - Which was read 1st time -

On motion of Mr. Speaker the rules were twice suspended, the bill read 2d and third time by title and passed -

Mr Bell made the following report -

Mr Speaker

The Select committee to whom was referred House Bill No 98, to be entitled an act to authorize Executors, Administrators and Guardians to loan Cotton and other produce to the Confederate States have had the same under consideration and have instructed me to report the same back to the House and recommend its passage -

Bell Chm. Select Com.

Which was read and adopted, and the bill No 98, was read the 3d time and passed -

Mr. Peay on leave introduced House Bill
H.B. No 104 Entitled an act to prevent taxation
No 104 or appropriating of the internal improvement fund to build telegraph lines" - Which was read the 1st time -

On motion of Mr. Peay the rules were suspended and the bill read the 2d time by title, and on motion of Mr. Peay referred to Committee on Internal Improvement

Mr. Jett from select committee made following report.

The Committee to whom was referred the subject of the Lands of the Cairo & Fulton Rail Road Company and with authority to confer with the Board of Directors on the subject have had the same under consideration and beg leave to report

That by act of Congress approved February 9th 1853 there was granted to the State of Arkansas the alternate Sections of three miles in width for a Rail Road from the North Eastern to the South Western boundary of the State, with the privilege of selecting other alternate Sections within thirty miles in width to make up the quantity of what had been disposed of by the Government within the limits of Six Miles on each side of the Road and said Act also made a similar grant for branches of said Road from Little Rock to Fort Smith and also from Little Rock to a point on the Mississippi River which was subsequently fixed by the General Assembly of this State to be ~~appropriated~~ opposite Memphis in the State of Tennessee,

The lands were to be selected according to such surveyed route as might be made by the Legislature or under its direction and reported to the General Land Office

The survey of the main Trunk road was made by the Cairo & Fulton Railroad Company of Arkansas at considerable expense and a copy of the same furnished to the Commissioner of the General Land Office and according to which the Lands granted were selected and set apart to the State, By Act of the General Assembly approved 26th November 1856 the lands in question were granted and confirmed to the Cairo & Fulton Rail Road Company for the purpose of building said Road subject only to the conditions contained in the act of Congress, and the act of December 22d 1854 provided that all costs and charges incident to the selecting listing control and sale of said Lands should be paid by the Company.

In consequence of Contestations arising out of the Swamp Land Grant by Congress and other causes the Company were put to considerable expense in having the Lands which enured under the Grant selected and finally confirmed.

There were two modes by which the Company could expect to make the Lands available in the construction of the Road. One was to raise money by a Sale of the Bonds of the Company Secured by a Mortgage of the Lands. It is represented on behalf of the Company, but in regard to which the Committee do not wish to be understood as expressing any opinion, that from various causes beyond the control of the Company it never has been practicable to negotiate a Sale of Mortgage bonds of the Company Since the Land Grant was turned over to it. The other mode was to raise money by a Sale of the Lands, and which has been done to a limited extent for the purpose of discharging liabilities incurred by the Company. It is represented on behalf of the Company that in the existing condition of things owing to the distrust in the public mind, nor is it material here to inquire by what causes occasioned the title of the Company to the Lands in question, it will be hindered if not prevented from raising means to any considerable amount by either mode for progressing with the work of building the road; and in this opinion your Committee fully concur.

On and after the 9th of February 1863, a question will arise whether the lands comprised in the grant and remaining undisposed of by the Company, will not the State as they might have reverted to the United States under a provision contained in the act of Congress referred to - until that time your Committee are of opinion that the General assembly has no control over the Subject or right to take any Steps to cause the Company to be deprived of the lands granted to it by the act of November 26, 1856. At the Same time it is a matter of public Concern that all doubts respecting the titles to these lands by whomsoever acquired Should be quieted and Settled, and the question of policy and for propriety is presented that

is best to be done in the premises under all existing circumstances.

About three years ago the company relinquished a portion of the lands comprised in the grant as finally adjusted to actual settlers who had previously purchased from the State. According to information furnished on behalf of the Company to the Committee the Company has sold 8.220 acres, leaving the residue of the grant remaining undisposed of at this time amounting to 1.103.123 acres. or about that quantity of land-

The total expenditure of the Company for all purposes including paid up instalments on stock subscriptions by counties and municipalities and outstanding liabilities of the Company, with interest as may have been agreed on according to contract, will not probably be less than one hundred and fifty thousand dollars, and the company is willing to engage that the same shall not exceed two hundred thousand dollars. Your Committee are of opinion that if the lands the 1.103.123. acres of land remaining undisposed of should be resumed by the State, with the consent of the Company, so as to make the proceeds of the same at once available, it would be just and proper to indemnify the company for those expenditures to be paid in Iron Bonds or Treasury Warrants or out of the proceeds of the sale of the lands after such claims have been audited and ascertained-

It is the earnest desire of the Board of Directors of the Company as expressed to your Committee that said lands or the funds arising from them should not be diverted from the purpose for which they were originally granted to and accepted by the State - without your sanction or to any question of power on the part of the State

the committee are of opinion in view of the provisions contained in the act of Congress, and the importance of rail road connections, that it would be proper for the State to declare her intention to appropriate the proceeds arising from the sale of these lands, towards the building of the road, as far as practicable or expedient, and whenever the condition of the County will admit of it being done-

To the end of a satisfactory adjustment of the difficulties attending the subject of this report, the Committee have prepared and present herewith the following bill and recommend its passage— Respectfully

Jett Cannon

Allen Cannon

Which was read and adopted- and accompanying

H.B. No.105 House Bill No 105, Entitled "An act concerning the lands of the Cairo and Fulton Rail Road Company- was read the 1st time

On motion of Mr. Jett the rules were suspended, the bill read the 2d time by title and on motion of Mr. Bangle of Clark was referred to Committee on State Lands-

Mr. Mitchell on leave introduced House

H. B. No.106 Bill No 106 Entitled An Act to repeal a part of Section 29 of Chapter 25 of the Digest of the Statutes of Arkansas" which was read the 1st time-

On motion of Mr. Mitchell the rules were twice suspended the bill read 2d and 3d times by title and passed-

Mr. Bell introduced House Bill

H B. No 107 No 107 Entitled an act to repeal Section 4. of the act approved January 19, 1861, to provide for the sale of runaway slaves confined in the Penitentiary, and to revive Sec. 18 of Chap. 162 of Gould's Digest, which was read the 1st time

On motion of Mr. Bell the rules were twice suspended, the bill read the 2d and 3d times by title and passed-

H B No. 108 Mr. Ransom introduced House Bill No 108 Entitled an act for the relief of an

of all persons having Ditching contracts with the State - which was read the 1st time -

On motion of Mr. Ransom the rules were suspended and the bill read the 2d time by title -

Mr. Pennington moved to amend by inserting the word "Levee" after the word "Ditching" - which was adopted and read the 2d time -

On motion of Mr Ransom the rules were ~~to~~ suspended the bill read the third time by title and passed -

... Mr. Smith from Committee on State Lands made the following Report: -

Mr Speaker:

The Committee on State Lands to whom was referred House bill No 68 have duly considered the same, and have unanimously instructed me to report the same back to the House and recommend its rejection - Jno. C Smith Chmn -

Which was adopted and the bill thereby rejected -

Mr. Jett made the following report

Mr Speaker

The Select Committee to whom was referred the Communication of John A Brunson Secretary of State in obedience to a resolution of this House of the 6th inst. have examined the same, and find the same to consist of certified copies of the bonds of the Cairo and Fulton Rail Road Company and the Little Rock and Fort Smith Branch of said Rail Road Company, with copies of papers attached from which it appears that such Bonds have been properly executed and filed in the Office of the Secretary of State according to law, all of which they beg leave to return. Jett Chmn -

Which was read and received.

Mr Zell made the following report

Mr. Speaker:

The Committee on the Judiciary to whom was referred House Bill No 55 to be entitled An Act to amend Section 1st Chapter 49 of Gould's Digest as the same relates to Bradley and Jefferson Counties have had the same under consideration and instructed me to report the accompanying substitute bill

and recommend its passage -

Bell, of Jud. Com.

Which was read and adopted. and Sub. House Bill No 55 Entitled an act to amend Section 1st Chaplin 49 of Kendels Digest so far as the same relates to the Counties of Bradley and Jefferson - was read 1st time

Sub. H B No 55

On motion of Mr. Bell the rules were suspended, the bill read the 2d and 3d times twice by title and passed

Mr. Rief introduced following H.J. resolution

H. J. R. No 15

Resolved - by the General Assembly of the State of Arkansas, That in view of the danger of our Northern border, and the small force under Gen. McCullough, it is hereby resolved that the troops now at this place be furnished such arms as can be procured in this County and the necessary transportation and sent to the aid of Gen. McCullough. To be accepted by him for 12 months and muster into the service of the Confederate States and that the sum of ten Thousand Dollars in war bonds is hereby appropriated for the above purpose and that the Governor is hereby authorized to appoint such persons as may be deemed by him necessary to purchase said arms in the soonest time possible -

Which was read the 1st time

On motion of Mr Rief the rules were suspended and the resolution read the 2d time and

On motion of Mr. Fleming may it was referred to the Committee on the militia

On motion of Mr. Bell the House took a recess until 6/2 of the clock P.M.

6/2 O'clock. P.M.

House met

Roll called and a quorum present

Mr Bell called up House bill No. 17, Entitled an act to repeal the 2d. section of an ordinance of the State Convention entitled an ordinance to provide revenue for the State of Arkansas,

Which was read, and the Committee Amendments

amendments were read. and concured in viz.

Senate Amendments -

Insert at the end of section one the following proviso -

Provided that nothing contained in this act shall be so construed as to repeal the provisions in said second section which make money on hand subject to taxation.

Strike out the words "levying and collecting the Taxes" in the 1st & 2d lines of Sec. 2 and insert in lieu thereof the words "rates of taxation"

HB109 Mr Ransom introduced House Bill no. 109, to be entitled an "act for the relief of actual Settlers on Wheel Lands in this State"

Which was read the first time and

On motion of Mr Ransom the rules were suspended and the bill read the 2d time, and

On motion of Mr Boone the bill was referred to the committee on State Lands.

The following message was received from the Senate by the hands of their Secretary,

Mr Speaker,

I am instructed to inform your honorable body that the Senate have passed House bill No. 38 Entitled an act for the benefit of actual Settlers on the tract of land known as the Cherokee Reserve in Pope County,

also House bill No. 84 - Entitled an act declaring Black Fish Bayou a navigable Stream and for other purposes,

Said Two House bills are herewith returned

The Senate have passed the following Senate Bills to wit,

No 25 To be entitled an act to abolish certain offices in the State Government of Arkansas.

No 27 To be entitled an act to consolidate the School fund of and unite Townships five North of Range 9 East and Township 6 North of Range 9 East in Crittenden county in one School district.

No 29 to be entitled an act for the relief of the people of Phillips County

Said three House bills are herewith transmitted for the accept of your honorable body which is respectfully asked.

The Senate have adopted Joint resolution No 3 for a triweekly Mail route from Memphis to Gainsville Green county via certain points therein named; which resolution is herewith transmitted for the concurrence of your honorable body which is respectfully asked.

John D. Kimbell
Secy Senate.

Mr Hudson of Jefferson made the following report:-

Mr Speaker -

The Select committee to whom was referred House Bill No 63 Entitled "an act for the relief of Ambrose Hudgins" have had the same under consideration and have instructed me to report the same back to the House and request to be discharged from the further consideration of the same -

Hudson Chm -

Which was read adopted, and the committee thereby discharged -

The bill was placed on the calendar.

Mr Bates on leave introduced House Bill No 110 Entitled an act for the benefit of soldiers and to pay persons who have furnished clothing and outfits to Volunteers" which was read the first time -

H. B No 110

Mr. Penny'cr moved the rejection of the bill which prevailed -

Mr Crawford called up Senate Bill No 15 Entitled an act the collection of debts in the State of Arkansas" which was read the first time -

On motion of Mr. Humphreys the rules were suspended, and the bill read the 2d time by title -

Mr. Rief moved to amend by an additional Section

Sec — Be it further enacted That any defendant may at his or her option let execution run on any or all of his or her property, and sale made for War Bonds, Arkansas Treasury Warrants, or Confederate Treasury Bonds or warrants and which shall be tendered by the collector to

the Condition, and upon the failure of said Condition to accept them for the amount of their face, then the same shall revert to the debtor, and the lien shall be absolved from such property and the debtor shall remain charged as above provided at the risk of the Creditor —

Which was adopted and then read the 2d time and

On motion of Mr. Donegan the bill was referred to the committee on the Judiciary —

The Senate Calendar was taken up —

~~Senate Bill No 8 was read 1st time~~ - entitled an act for the relief of Newton S. Lancelot of Clark County and to legalize the acts of his deputies" was read the 1st time —

On motion of Mr. Cargile of Clark the rules were suspended, the bill read the 2d time by title and made special order for Saturday 10 o'clock —

Senate Bill No 17 Entitled "an act to repeal Section 3 of an Ordinance, to provide for the relief of families of Volunteers in actual service in certain cases" was read 1st time —

On motion of Mr. Donaghey the rules were suspended, and the bill read the 2d time by title —

And on motion of Mr. Bell was referred to the Judiciary Committee —

Mr. Pennington moved a reconsideration of the vote rejecting House Bill No 110, which did not prevail —

Senate Bill No 18 Entitled An act to amend the advertisement and sale of lands for taxes belonging to alien Enemies in the State of Arkansas and to protect the interest of the State in the payment of said taxes" was read the 1st time —

On motion of Mr. Pennington the rules were suspended, and the bill read the 2d time by title —

On motion of Mr. Bone the bill was referred to the Committee on Ways & Means —

Senate Bill No 22, Entitled an act for the relief of certain persons in the military service of this State & the confederate States and their Securities" was read the 1st time —

On motion of Mr. Lincoln the rules were

suspended and the bill read the 2d time by title-

And on motion of Mr. Durfee was referred to the Judiciary Committee-

Senate Bill No 26, Entitled An act to incorporate the Trustees of Marlbrook, Presbyterian Church in Hempstead County Arks" was read the 1st time-

On motion of Mr. Pettit the rules were suspended, the bill read 2d & 3d time by title and passed-

Senate Bill No 3. Entitled "an act for the benefit of Special Judges and Prosecuting Judges" was taken up and read the 1st time-

And on motion of Mr. Bourn was placed on Calendar-

Senate Bill No 12, Entitled "an act for the benefit of persons claiming pre-emption on Swamp Lands, and for other purposes-" was taken up and read the 1st time-

On motion of Mr. Tucker the rules were suspended the bill read the 2d time by title, and

On motion of Mr. Harrison was referred to Swamp Land Committee-

Senate Bill No 23. Entitled "an act providing for the ~~Election~~ election of a tax collection in Columbia, County," was taken up read the 1st time-

On motion of Mr. Hays the rules were suspended, and the bill read the 2d time by title-

Mr. Wheeler moved to amend as follows-

Sec Be it further enacted- That an election shall be held in said County on the 1st Monday in August 1862, by the qualified voters of said county who shall write on their tickets "collection" or "no collection" and should a majority of the votes polled be for collection, this act shall be in force but should a majority vote no collection this act shall be inoperative- The election to be governed by existing laws"-

which was read and adopted and then read the 2d time -

Mr. Humphreys moved that the Bill be referred to the Judiciary Committee - which did not prevail

On motion of Mr. Wheeler the rules were suspended, the bill read the 3d time by title and passed -

Senate Bill No 2 Entitled "an act requiring Collectors to receive War Bonds, Confederate Notes, and Treasury Warrants in County taxes" - was taken up, and read the 1st time -

On motion of Mr Ballis the rules were suspended, and the bill read the 2d time -

And On motion of Mr. Pennington the bill was rejected -

There being no further business on the Senate Calender - The House Calendar was taken up -

House Bill No 44, Entitled an act to suspend the operation of an act approved January 16th 1861, Entitled "An act to aid the foreclosure of the State mortgages given to secure State Subscriptions to the Real Estate Bank of the State of Arkansas," was taken up -

The bill was read the 3d time - and was rejected -

On motion of Mr. Key the House ~~Broke~~ adjourned until Saturday morning 9 of the Clock -

Bradley Branch Speaker

Friday Evening 2½ o'clock -

A Quorum of members appearing within the Hall of the House, on motion of Mr. Boone Mr. Buckner took the chair and ordered the roll to be called, for an extra session -

Roll called - and no quorum present.

On motion of Mr. Boone the house adjourned until 6½ of the clock. P.M. -

6½ o'clock - P.M.

House met -

Roll called -

Present - Messrs

Saturday Morning November 16, 1861—

House met—
Roll called—
Present—Messrs. Acree Allen Armstrong Bates Beazley Boone Borden Carroll Cargile of Clark Cargile of Conway Childers Clayton Coulter Craven Crouch Davis Duval Edmundson Ham Harris Harrison Hays Hemingway Hudson of Jefferson Hudson of Newton Hull Humphreys Ish Jones of Chicot Jones of Pike Jones of Yell Kenner Key London Massey Maxwell Mitchell Montgomery Murphy McKean McLean Padgett Pennington Perkins Ransom Rieff Rison Robinson Seffold Seaborn Sharp Smith Stephenson Stone Thorn Trice Wheeler Williams Wyse Yell and Pike Speaker— 63.

Mr Duval stated that Mr Woolard the member from the County of Montgomery was present who came forward and was Sworn in by the Speaker and entered upon the discharge of his duties.

The journal of Thursday was read approved and Signed.

Mr Borden Asked and obtained leave of absence for Messrs. Bell, Ferguson Dunagin and Putman

Mr Kenner asked and obtained leave of absence for Mr. Jennings on account of indisposition of his family.

The following Message was received from the Senate by the hand of their Secretary

Mr Speaker I am instructed to inform your honorable body that the Senate have passed the following House bills viz

No 4 entitled an act conferring on Justices of the Peace exclusive original jurisdiction over certain Misdemeanors

No 56 entitled an act for the relief of Dimcan & Morrow of Arkansas County

No 69 entitled an act for the relief of Richard G Thompson late Sheriff and Collector of the County of Jefferson

No 71 entitle an act to pay the expenses of the last Illness and Funeral of the late Hon Thomas Pains of Newton County

No 78 entitled an act for the benefit of certain Volenteers of Carroll County

No 96 entitled an act to facilitate the Collection of Revenue

No 87 entitled an act making Certain appropriations
for the present fiscal year
No 94 entitled an act to Change the times of holding
the Courts in the 5th Judicial Circuit of this state
No 96 entitled an act concerning suits still pending
in the Supreme Court of the late United States
No 92 entitled an act the Relief of the Volenteers of
Arkansas and for other purposes
Said Eleven Bills are here with returned
The Senate have amended and passed the following
House Bills viz
No 80 entitled an act in relation to the Marine
Hospital at Napoleon in the County of Desha
No 93 entitled an act to Change Sect 3 chap 87 of
Gould's Dig said two Bills are here with returned with
the amendments attached for the concurrence your
Honorable Body which is respectfully asked
The Senate have adopted Joint Resolution No 4
to Make an appropriation to arm Regiments Battalions
and Companies now being formed in this State
also Senate Joint Resolution No 5 requesting the Governor
to Call out the Militia to repell invasion
Both of which are herewith transmitted for the
concurrance of your Hon Body which is respectfully
asked
The Senate have passed Senate Bill No 6 to be
entitled an act to repeal all State Laws that prohibit
the circulation of Bank Bills of any denomination
which is herewith transmitted for the assent of your
Hon Body which is respectfully asked

J D Kimball
Sec Senate

The following Message was recieved from the Governor
by the Hand of his Private Secretary Mr McClure
Mr Speaker I am instructed by the Governor to report
to the House of Representatives that on this 14 Day of
Nov inst he approved and signed the following acts to wit
An act amendatory of an act entitled an act
amendatory of a Law concerning Schools and School Lands
in the County of Columbia and Prairie approved 21st of
January 1861
an Act to amend the Revenue Laws of of this
State

an act to authorize the Register of the Land office at Little Rock to appoint a Deputy
an act to strike out certain words wherein they occur in the Laws of this State and insert others in their stead
an act to be entitled an act amendatory to an act to incorporate the Helena Insurance Company
an act to provide for the election of a Justice and Collector in the County of Hempstead
an act to provide for Collecting Taxes of Phillips ...County now in 1841

W M Mcarthy
Private Secretary

The message was accompanied by documents relative to information required of the Governor in relation to clothing the troops of Arkansas - which was read and referred to the Select committee of five on troops & def. & armor.

Messrs. Spencer Pennington Bacon, Reif and Jones of Select such Committee -

Mr Carroll Moved that 500 copies of Private Acts did not - prevail.

Mr Jones of Chicot called up Substitute - House Bill No. 80. Entitled an act to in relation Marine Hospitals at Napoleon in the county of Desha
Which was Read and the amendments as follows concurred in
Senate amendment - "strike out the words since the secession of Arkansas in the 4 line of the second section also
Strike out the words Treasurer in the 2nd ~~line~~ sections and insert Auditor of Public accounts"

On motion of Mr Pennyston Senate Resolution No 4 was called up Making appropriation to Arm Regiments Battalions and Companies Now being formed in this State which was read 1st time
On Motion of Mr Humphreys the rules were suspended and the Bill was read the 2nd time
On Motion of Mr Pennington the rules were again suspended the Bill was read the 3 time and adopted

The following Message was received from the Senate by the hands of their Secretary

Mr Speaker

I am instructed to inform your honorable body that the Senate have rejected the following House Bills

No 12 entitled an act to repeal an Ordinance of the State Convention creating a Military Board for the State of Arkansas

No 20 entitled an act to amend Chapter 81 of Sandels Digest of the State of Arkansas

No 20 entitled an act for the relief of citizens of this State who own Lands Improvements and other purposes

No 43 entitled an act to authorize William T. Brown of Sebastian County to convey certain Lands

No 81 entitled an act to amend the Eleventh Section of Chapter forty seven of Sandels in relation to Special Judges of the Circuit Court of this State

Said House Bills are herewith returned

J D Rembert
Sec Senate

Mr Moore Made the following Report-

Mr Speaker

Your Committee on Enrollments have had under consideration House Bills No 12, 38 & 87 and 84 and after comparing the same have instructed me to report the same as correctly Enrolled

Moore Chairman

Motion was received

Speaker Order having the consideration of Senate Bill No ~~29~~ 49, Entitled an act for the relief of Newton J. Lane clerk of Clark County, and to legalize the acts of his deputies - was taken up-

On motion of Mr. Coingile of Clark the bill was read the third time and passed -

Mr. Mitchell called up Senate Bill No 29. Entitled "An act for the Relief of Phillips County" which was read 1st 2 time and taken up 3 time, and Passed

Mr Flora called up Senate Joint Resolution No 5
Requesting the Governor to call an Extra session
of the Legislature which was read the first time -
On motion of Mr Nimitt the rules were
suspended and the resolution read the 2d time
And on motion of Mr. Bell the rules
were again suspended, the Resolution read the
3d time and adopted -

The following Message was received from
the Senate by the Hon'd Sec'y of State Secretary

Mr Speaker

I am instructed to inform your Honorable
body that Senate has amended and Passed House Bill
No 46 entitled an act to provide for the issuing
of Small Treasury Warrants of small denominations
and for the redemption of outstanding War Bonds.
Said Bill is herewith transmitted with the
amendments attached for the concurrence of your
Hon Body which is respectfully asked.

J. D. Rimbell
Sec'y of State

Senate amendment

No 1 insert after the words War Bonds
wherever they occur the words Treasury Warrants

Amendments 2 nd and 3rd
following provisions to Sec 3

Provided
That War Bonds and Treasury Warrants which are issued
of less denomination than five Dollars shall not bear
any Interest and provided further that the Treasurer
of this State shall not be allowed any Compensation
for the Issuing of War Bonds or Treasury Warrants of a less
denomination than ten Dollars

J. D. Rimbell
Sec'y Senate

Mr Allen made the following Report

Mr Speaker

I have the honor to inform you that your
Committee on Enrollments did on the 16th Day of Dec
1861 Deliver to Governor for his approval House Bills
No 19. 98. 87 and 84 and have not received his report
the same to this Hour

J. J. Ware Chairman

Which was received

Mr Humphreys Made the following Report which was
read and adopted
. (the Situation

The committee on ways and Means
to whom House Bill No 89 was referred have had the
same under Consideration and I am instructed by said
Committee to report a Substitute for said Bill and
Recommend its passage

Humphreys
Chairman

Said substitute entitled An act for the
relief of sicks wounded and disabled volun-
Sub H.B. teers of Arkansas was read the 1st time -
No 89 (On motion of Mr. Bates the rules
were suspended the bill was read the 2d time
by title, and

On motion Mr. Fleming may the
rules were again suspended, the bill
read the 3d time by title and passed.

Mr. Smith from the Committe on State Lands. made the
following report.

"Mr Speaker the committe on State Lands, to whom
was referred House Bill no 109. entitled an Act for the
relief of actual Setters on School lands in this State have
had the same under Consideration and have instructed
me to report the same back to the house and recommend
its passage.

John L. O Smith

which report was adopted, and the Bill read a third time
by title and passed.

Mr Humphries from Committe of ways & means,
made the following Report.

Mr Speaker. The Committe to whom
House Bill No 6. was referred have considered the same and
S.B. said committe have instructed me to report a substitute for
No 6 said House Bill and recommend its passage. all of which
is respectfully submitted.

Humphries Chairman

which Report was adopted, and substitute House Bill No 6
Entitled an Act prescribing the duties of Collectors of
Revenue, was read the first time,

On motion of Mr Humphries the Bill was

Suspended, and bill read a second time.

On motion of Mr Hemingway. the bill was referred to a select committe. of five.

Mr Speaker appointed the following committe Hemingway Durael. Smith Isaacson & Bell.

The following message was received from the Senate

" Mr Speaker.

I am instructed to inform your Honorable body. that the Senate have passed House Bill No. 55. Entitled an act to amend Section first Chapter 49. of Gaules Digest so far as the same relates to the Counties of Bradley & Jefferson. which is herewith returned

J. D. Kimbell.

Sec'y Senate.

Mr. Duncan of the Committe on Elections made the following report.

Mr Speaker.

Your Committe to whom was referred House Bill No 37. have had the same under consideration, and agreed to report the same back. with the accompanying Substitute Bill, and recommend the passage of the Substitute Bill

Respectfully

Duncan. Chairm. Com Elections

Which report was adopted and Substitute House Bill No 37,

S for H B No 37. Entitled an act. to further define the duties of the Judges and Clerks holding Elections in the several Election Townships throughout this State, was read the 1st time,

On motion of Mr Duncan. the rules were twice suspended, and the Bill was read a second and third time by title

Mr Mitchell moved to lay the Bill on the Table which was not passed,

On the question of passage Mr Peay called for the yeas & nays. which was sustained and had with the following result.

Yeays.

Messrs Allen. Bates, Bowden, Cargile of Clark., Cargile of Conway, Chilcutt, Coulter, Davis, Durael, Emanson, Garrett, Hays, Jones of Pike, Jones of Bell, Key, Duncan, Murphy, McLean, Padgett, Perkins, Ransom, Smith, Stevenson, Ware, Wheeler, Mr. Speaker, 26-

Nays = Mssr. Acree, Armstrong, Beasley, Boone, Carroll, Celaytun, Crouch, Crowell, Harris, Harrison, Hemingway, Henderson of Jefferson, Henderson of Newton, Hull, Humphrys, J.M., Jones of Calhoun, Kinnon, Massey, Maxwell, McCahill, Peay, Pennington, Reif, Risen, Robinson, Saffold, Seaborn, Sharp, Stone, Thorn, Williams, Woolard, Wyse Yell, — 33: So the Substitute Bill did not pass,

Mr Jones of Jeff. introduced House Joint Resolution No 16, "To increase Salary of Secretary of State

H.J.R. No 16

On motion of Mr Jones of Jeff, the rules were twice suspended, and the resolution was read the 2nd & 3rd time and adopted,

Mr. Thorn from the Committe of Agriculture made the following report."

"Mr Speaker,

The committe on agriculture to whom was referred, the letter of Hon. Thos J. Henderson President of the Southern Planters Convention

Having considered the same, deem it highly important, that Arkansas should be represented at the next session of that Convention which will assemble at Memphis on the 16th day of December next, and would recommend, that the House the Senate concurring, request the Governor of this State to appoint Six delegates to attend said Convention, one from each Congressional District, and two from the State at Large, and that said Delegates receive no compensation for such Service.

Thorn, Chairmen

Which report was adopted

Mr Ware from the Committe of Enrolments made the following report;

Mr Speaker.

Your Committe on Enrollments have had under consideration House Bill No. 80, and after comparing the same have instructed me to report said Bill as correctly enrolled.

J. J. Ware Chairman.

The following Message was received from his Excellency the Governor, by the hands of J. M. Mathews his private Secretary,

Executive Office,
Little Rock, Nov. 16, 1861,

Mr Speaker,

In response, to the resolution passed, by your Honorable body, requiring information in regard to the transfer of the State troops to the Confederate Government, I beg leave to transmit herewith copies of Contracts entered into by the Military Board, with General Hardee, and with Hon Jiseon P. Johnson Agent of the Confederate States,

The agreement with Hardee, was executed as herein stated, in my message of the 6th inst to which, I beg leave to refer, It will be observed that by the contract, made with Mr Johnson the men raised under the ten Regiments call, were to be, turned over to Brigadier General Hardee;

The General however, in a communication addressed to the Military Board, declines to receive the seven Regiments, contracted by Mr Johnson to be assigned to him, General Leonidas Polk, however, made application for them and Gantt, Merrick, Bradley, Lappan, and Col. Smiths Regiment were sent to Memphis in virtue of this arrangement, Subsequently Genl Hardee, did receive Col. Pattersons Regiment and by direction of the Secretary of War, Col Williams & Mitchells Regiments, was sent to Genl. McCullough.

The agreements with Genl. Hardee, herewith marked A' that with Mr Johnson, marked B" all of which is respectfully submitted,

Henry M. Rector

which was received together with the accompanying documents referred to,

The following message was also received from the Governor.

Mr. Speaker,

I am instructed by the Governor, to inform your Honorable body, that on the 16th of November 1861, he approved and signed the following Act;

"An Act making certain appropriations for the current fiscal year,

" An. Act. for the benefit of Delucas Letters on the Tracts of land, known as the Cherokee. reserve in Pope. County"

"An Act. declaring Black Fish Bayou a. navigable. Stream and for other purpases;"

"An Act. to repeal. an ordinance. of the State convention entitled "an Ordinance to authorize the levy of a. Tax. for Military, and for other purpases."

Nov 16th 1861,

W M. Mathuny
Private Secretary

Mr. Harrison from the Judiciary. Committe made the fallowing report.

Mr. Speaker.

The committe on the Judiciary to whom. was referred. House Bill no. 92. entitled "An. Act. to amend the laws, concerning negoceable paper," have had the same under, consideration, and have instructed me to return. it to the House. and to recommend its passage.

Harrison,

Mr Harrison. Which was on motion of Mr Harrison adopted which. motion did not. prevail

H.B. No 111. Mr. Stone introduced. House. Bill no. 111. Entitled "an Act to provide for. the measurement. of certain Lewes. and. for the final. adjustment of certain claims, which was. read.,

And. on motion of Mr Stone the rules were twice suspended. and the Bill read, a Second and third time by title and passed,

Mr Garr. from the committee on. Judiciary made the fallowing report.

Mr. Speaker.

The committe to whom was. referred House Bill no, 101, Have had, the same under, consideration, and have instructed me to report it back, and. recomend. its rejection

W. P. Garr.
of the Judiciary Committe.

Which. report was. adopted and the bill thereby. rejected

Mr. Ware, from the enrollment committe made the following report,

Mr Speaker,

I have the honor, to inform you, that your committe on Enrollments, met on the 16th day of Nov. 1861, and deliver to the Governor, for his approval House bill No. 80, and have instructed me to report the same to this House,

J. J. Ware, chairman

Which was read and received

...

Mr. Jones of Chicot, for Mr Jennings, made the following report,

Mr. Speaker,

Your Committe on Militia having duly considered the matters referred to them, in the accompanying Resolution in compliance therewith, beg leave to report the accompanying Bill which they respectfully recomend, to be passed,

Nov. 14th 1861.

Jennings,

Jerome,

Which was adopted and House Bill No. 112, was read a first time, and placed on the Calendar, Said Bill is entitled, "An Act to reorganize the Militia of the State of Arkansas

The following message was received from the Senate

Mr Speaker,

I am instructed to inform your honorable body, that the Senate have passed House Bill No. 44, Entitled "An Act to Charter the Arkansas State Telegraph Company which is herewith returned,

J. D. Kimbell,

Sec. Senate

which was read and received

Mr Baron, from [redacted] committe on Judiciary made the following report,

Mr. Speaker,

The committe on the Judiciary to whom was referred House Bill No 16, have considered the Same, and as another Bill of similar import was passed this house, we ask to be discharged from the further consideration thereof,

Also considered Senate Bill No 22, and

as a like bill has been passed both Houses, = ask to be discharged from the further consideration of the same,

Boone, Chairman,

Which, report was adopted, and the committe thereby discharged,

Mr. Starr, from the committe on Judiciary, made the following report,

Mr Speaker,

The committe to whom was referred, Senate Bill No 17, have had the same under consideration, and have instructed me to report it back, and recommend its passage.

Y. P Starr, of the Judiciary, Committe

Which was adopted, and the bill read a ~~third~~ time ~~And on motion of Mr Starr the rules were suspended~~, and passed,

Mr Boone from the committe on Judiciary made the following report.

Mr Speaker

The committe on the Judiciary, to whom was referred Senate Bill no. 13 "Entitled, an act to suspend the collection of debts in the State of Arkansas," have had the same under consideration and therewith submit three several amendments thereto, and as amended have instructed me, to report the same back, to the house and recommend its passage.

Boone Chairman

The question being stated upon the adoption of the Report. On motion of Mr Harrison, the house took a recess until 2 1/2 o Clock, P.M,

2 1/2. PM.

House met and a quorum present,

Mr Smith moved to postpone consideration of the adoption of the report from Mr Boone from the committe on Judiciary. Which was lost on division

The following message was received from the Senate

Mr Speaker.

I am instructed to inform your honorable body that the Senate have passed House Bill No 83 "entitled" An Act for the relief of the securities of James. C. Brennon, late Sheriff of Columbia County which is herewith returned.

And have also passed House Bill No 15 entitled "An Act to incorporate Agricultural Levis in Phillips, Monroe, St. Francis, Cottonwood, Mississippi, Lonoke Pulaski, Grum, & Poinsett counties, and the Helena District Agricultural and Mechanical Association; which is also herewith returned,

The Senate have ammended and concurred in House resolution to increase compensation of the Secretary of State, which is herewith returned with the amendments attached for the concurrence of your Honorable body. which is respectfully asked,

J. D. Kimbell, Sec Senate

The question was then stated to be upon the adoption of the Judiciary Committee report upon House bill no, 15 recommending the following three amendments

1st Amend by adding to the second Section the following in lieu of the amendment proposed in the House, to wit: Provided that any debtor may at his or her option or Execution run on any or all of his or her property, and Sale be made for "Arkansas New Bonds," Arkansas Treasury Warrants, or Confederate Bonds or Confederate Treasury notes, which shall be tendered by the collector to the creditor, and upon the failure of said creditor to accept them for the amount of their face, then the same shall revert to the debtor, and the lien shall be absolved from such property, and the debt shall remain charged as above provided at the risk of the creditor

2d " Amend section 3rd in the 14th line by inserting the word "Court" after the word "Circuit"

3rd Amend Sec 4 = 11th line by inserting the word "Sell" after the word "Kill"

Which amendments were severally read

and adopted, and then read a second time,

Mr. Humphries moved to amend as follows
Amend Section 6. by saying
"Provided, that nothing in this act. contained shall be so construed as to prevent the issuance of an Execution upon any Judgement or decree rendered, to foreclose, any of the mortgages, to the Real Estate Bank, passed at the last General assembly, and approved January 16-1861

Which was read and adopted and then read a second time

Mr. Pennington moved to amend. By en=
Listing. provided all debtors may have the right to sell any property, he she or they, may own, to pay off, and, discharge Said indebtedness,
Which, was read and adopted and read a second time,

Mr. Childers. moved to amend by, Striking out. that part of the Bill Saying "Shall be imprisoned in the Jail or Penitentiary.
Which was read and adopted and then read a second time.,

Mr. Ruf moved to amend by. Striking out the word. County & insert State."
Which motion did not prevail

Mr. Armstrong moved to amend by the following. proviso.
Provided "That the lien upon Real, and. personal. Estate, created by this act. Shall only Extend. to property. Sufficient to pay such judgement, under the ordinance, which requires property Sold. under. Execution to bring 4/5. of its value on the 6th day of November. 1860;
Which was read and adopted. and. then read a Second time.

Mr. Sawyer moved to postpone the further consideration of the Bill until the fourth day of July.

on which Mr. Durnal called for the yeas and nays, which was sustained and had with the following results,

Yeas — Messrs. Acree, Bates, Belayton, Cravens, Duval, Harrison, Hemingway, Henderson of Newton, Jett, Kenner, Key, Lawson, Massey, Maxwell, Murphy, McKean, Padgett, Peay, Pennington, Perkins, Risan, Robinson, Saffold, Sharp, Smith, Stone, Ware, & Woolard, = 28,

Nays = Messrs. Allen, Armstrong, Beerly, Bowden, Cargile of Clark, Cargile of Conway, Chilcutt, Cowell, Davis, Edmonson, Farr, Harris, Hays, Henderson of Jefferson, Hull, Humphreys, Jones of Chicot, Jones of Pike Jones of Yell, Mitchell, McLean, Ransom, Reif, Seaborn, Stevenson, Thorn, Wheeler, Wyse, Yell, & Mr Speaker = 31,

So the House refused to postpone the consideration of the Bill

The question was then stated, upon the passage of the Bill

Mr Durnal called for the yeas & nays, which call was sustained, and had with the following results

Yeas = Messrs. Allen, Armstrong, Beerly, Chilcutt, Cowell, Davis, Farr, Harris, Hays, Henderson of Jefferson, Hull, Humphreys, Jones of Pike, McLean, Reif Seaborn, Stevenson, Wheeler, Wyse, & Yell, — 20

Nays = Messrs. Acree, Bates, Bowden, Cargile of Clark, Cargile of Clark, Cauller, Cravens, Duval, Edmonson Harrison, Hemingway, Henderson of Newton, Jett, Jones of Chicot, Jones of Yell, Kenner, Key, Lawson, Massey, Maxwell, Mitchell, Murphy, McKean, Padgett, Peay, Pennington, Perkins, Ransom, Risan, Robinson, Saffold, Sharp, Smith, Stone, Thorn, Ware, Mr Speaker, = 37,

So the bill did not pass,

Mr. Ware from the Committee on Enrollments made the following report:-

Mr. Speaker:-

"Your committee on Enrollments have had under consideration House Bills Nos 4, 86 and 17, have compared the same and have instructed me to report the same as correctly enrolled—

Ware, Chairman

Which was received -

Mr. Ware also made the following report

Mr. Speaker:-

I have the honor to inform you

that your committee on enrollments did on the 16th day of November 1861, Deliver to the Governor for his approval the following House Bills, Nos 4, 86, 78, and 17, and have instructed me to report the same to this House.

Wm Chrisman

Which was received -

The following message was received from the Senate by the hands of their Secretary:-

Mr Speaker:-

I am instructed to inform your honorable body that the Senate have passed"

House Bill No 40 to be entitled an act defining the duties of the Auditor in relation to the lands of this State -

Also House Bill No 71, to be entitled an act to provide for the payment of the war tax imposed by act of the Provisional Congress of the Confederate States of America, approved August 17, 1861, and for other purposes.

Also House Bill No 56 to be entitled An act to amend an act entitled an act to aid the Arkansas Institute for the blind Approved January 19, 1861

And have concurred in House Joint Resolution No 13 to adjourn sine die on Monday next the 18th inst - all of which are herewith returned

John D. Kimbell
Secretary Senate

Mr. Duval made the following report

Mr Speaker:-

The committee on the Judiciary to whom was referred House Bill No 81, to be entitled "an act for the relief of such persons of this State as have or may hereafter enter into the Confederate service as privates - have had the same under consideration, and have amended the same by striking out the 2d 3d 4th and fifth sections of the bill, and adding to the 1st section the words and that this act shall take effect and be in force

from and after its passage," and instructed me to report the same back to the House and recommend the passage of the bill as amended —

Neal, Chairman

Which was adopted - and the amendments proposed adopted and read the 2d time -

The Bill was then read the 3d time and passed —

On motion of Mr. Flemingway, the House took a recess until 6/2 o'clock

...

6/2 o'clock, P.M.

House met

Roll called and a quorum present

Mr. Smith from the committe on State Lands, made the following report,

The committe on "State Lands," to whom was referred, House Bill No 105. "Entitled "An Act. Concerning Lands of the Cairo and Fulton Rail Road. Company" beg leave. to report. the same back to the house, with an amendment. and recomend its passage as amended

Smith Chairman,

Which was adopted and the bill read for information

Mr. Robinson moved to amend as follows.

Amend. by including the Fort Smith and. Little Rock, branch of the Cairo and Fulton Rail Road. within the provisions of this bill, Which did not prevail

The following message was received from the Senate by the hands of the Secretary

Mr. Speaker,

I am instructed to inform your honorable body, that the Senate have concurred in the amendment of the House to Senate Bill No, 23, entitled. "An Act providing for the Election of, a Tax collector in Columbia. County

The Senate have amended & passed House Bill No 108 entitled "An Act, for the relief of all persons having. attaching &. levying contracts with the State, which is herewith returned. with the amendment attached, for the concurrence of your.

honorable body, which is respectfully asked.

J D Kimball.

Secy. Senate

Mr. Boyce moved to amend as follows,

Amend By requiring the company to account for all money received by them arising from lands Sold by them

Which was read and adopted, then read the Second Time,

Mr. Perkins offered the following amendment.

Amend by Striking out the last clause in Section 3 beginning with the word, "And provided further" and ending with the words, "So acquired" and insert in Lieu thereof, And, provided further, That actual Settlers and cultivators Shall not be agrieved or molested, by the purchasers Grantees of persons, to whom titles have been made, of Said lands by Said Company, Nor that the Titles of all other of Said lands, Shall be quieted

Read and adopted, and then read a second time

Mr. Rief moved to indefinitely postpone the bill on which Mr Smith called for the Yeas & nays, which was sustained and had with the following results;

Yeas= Messrs. Bates, Carrol, Cagle of Conway, Clayton, Cuddeback, Cravens, Samuel Eamonson, Harris, Harrison, Heap Hemmingway, Hinkson of Jefferson, Hull, Humphries, Jones, of Chicot, Jones of Pike & Sevier, Massey, McQueen, Mitchell, Murphy, McLean, Peasley, Rief, Rison, Robinson, Seaborn, Sharp, Stone, Thompson, Wheeler, & Yell. = 34;

Nays= Messrs. Allen, Bentley, Bowden, Cagle of Clark, Davis, J M, Jones of Polk, Key, McKean, Peay, Pennington Perkins, Ransom, Saffold, Smith, Stimson, Boyce, & Mr Speaker =18.

Messrs. Chilcutt & Cravens asked to be and were excused from voting.

So the bill was indefinitely postponed,

The following Message was received from the Senate,

Mr Speaker,

I am instructed to inform your Honorable body that the Senate have amended and passed House Bill no 24, "Entitled "An act to exempt certain

property from sale & Execution, which is herewith &c

The Senate have passed, Senate bills No 31, entitled. "An Act, to legalize the Sale of the 16th Sec in T 4 N, R. 4 West which is herewith transmitted &c.

J.D. Kimbell
Secy Senate.

Mr Hemingway. from the Committee on "Internal Improvements made the following report.

Mr Speaker,

The Committee on Internal. Improvements, to whom was referred a Bill, Entitled "An Act to grant a Charter to M. A Gaster to make a turnpike or. plank road have had the same under Consideration and have made Sundry Amendments, and have instructed me to report the same, back to the House with the amendments, and recomend it passage,

Hemingway. of Comtte

The amendments as proposed by said Comtte were as follows,,

Amend Sect 1st by adding the following. Provided further that the said plank Road, shall be discontinued. after the completion of the Mississippi, Arkitta. and Red River, Rail Road, to the said end off,

Amend Sect. 3d. by adding the following, Provided, that another ferry may be established, in a half a mile of. that Chartered, by this Act, by owning the land, on one or. both bank's of said Bayou. in accordance with the Law. of this State on relation to ferries,

Which were read and adopted and then read a. Second time

The Bill was then read a third time by Title and passed,

The following Message was received from the Senate by the Secretary thereof,

Mr. Speaker.

I am instructed to inform your honorable body, that the Senate have ammended and. passed, House Bill No 67, entitled "An Act, to facilitate the Circulation, of the Arkansas War Bonds, and Treasury Warrants, which is herewith returned with the three ammendments attached

for the concurrence of your Honorable body which is respectfully asked,

J.D. Kimbell.

Secy. Senate

Mr. Humphreys. from the Committe on ways & means Made the following report,

Mr Speaker.

The Committe on. Ways & Means, to whom was referred, Senate Bill No 18, "Entitled" An Act, to suspend, the Advertisement, and sale of Lands for taxes belonging to Alien Enemies in the State of Arkansas, and to protect the interest of the State in the payment of said taxes, have considered the same, and I am instructed to report the bill back to the House and recommend its passage,

Humphries Chairman,

Which was adopted, and the bill read a third time and passed,

The following Message was received from the Senate by the hands of the Secretary Thereof

Mr Speaker,

I am instructed to inform your honorable body. that the Senate have passed. House Bill No 103 Entitled "an Act to punish any officer or officers. for embezzeling the public. Money. Moneys. in this State, which is herewith returned,

The Senate have passed Senate Bill No 32, Entitled, "An Act to establish, the County of Red River, which is herewith &c,

J.D. Kimbell Sec Senate

Mr. Smith from the Committe on State Lands, made the following report,

Mr. Speaker.

The committe on State Lands have under consideration House Bill No. 32. Entitled "An Act. for the relief of Persons. having entered lands under the late United States Government, and also the same lands from the State of Arkansas," And have instructed me to report the Same back and recomend its passage.

Smith Chair- Com.

which was adopted and Bill read. a third Time & passed

The following report was handed in by Mr Carroll from the Committee on claims,

Mr. Speaker.

The committee on claims to whom was referred House bill No 47 have considered the Same and have instructed me to report favorably and recommend its passage

Carroll,
Chairman.

Which was read and adopted, and
The bill and amendments were read for information,
Mr. Mitchell moved to lay the bill and amendments on the Table.
Which motion did not prevail.
Mr Smith moved to reconsider the vote by which the report of the Committee was adopted, which prevailed, ~~and the report~~
Mr. Smith moved to reject the report so far as the following Amendment was concerned.

"Amend by saying all other persons entitled to whom the United States were indebted for any services whatever done by such persons by contract with the United States."

Which was decided out of Order, inasmuch as said amendment had been adopted by the House and committed with the bill.

Mr. Smith moved to amend as follows "by striking out all but "Marshalls"

Which did not prevail.

On motion of Mr. James of Lincoln the bill and amendments were indefinitely postponed.

Mr. Flemming made the following report:-

Mr Speaker:-

The committee to whom House Bill No 6. was referred have examined the Same, and have instructed me to report the Same unperfected and have agreed upon sundry amendments as engrossed orders to perfect the bill, which will be offered by the Chairman in the House - They also instruct me to report the bill back to the House and re-

commend the passage of the bill when amended — Hemingway, Chairman

Which was adopted -

The following amendments recommended by the committee were read -

Sec. 5 - Be it further enacted That for the purpose of collecting the unpaid revenue with which any collector may stand charged such sheriff shall remain in office as collector from and after the expiration of his term of office now fixed by Law - until the 1st day of the next succeeding January" -

Sec 6 - Be it further enacted - That Sales of Real Estate or personal property belonging to residents or non-residents for taxes, shall be at the court house door of each county on second Monday of October in each year, and to continue from day to day until the same are completed -

The amendments were adopted and then read the second time -

On motion of Mr. Hemingway the rule was then read the 3d time and passed -

Mr. Landers on leave introduced House

H.B. No 112 Bill No 112, Entitled an act to encourage sheep raising in the State of Arkansas" which was read the 1st time -

On motion of Mr. Landers the rules were twice suspended the bill read the 2d and 3d times by title and lost -

Mr. McKean called up House Bill No 57, Entitled an act to facilitate the execution of Arkansas as War Bonds and Treasury Warrants - and sundry amendments as follows were read -

"Insert the words "and interest" after the word "principal" in the 4th line of 5th Section -

Sec. 6 That no property sold under this act shall be sold for less than four-fifths of its gold and silver on the 6th day of November A.D. 1861 -

Sec - 7 - Be it further enacted - That from and after the passage of this act no writ of execution shall issue upon any Judgment or decree now rendered or hereafter to be rendered in any court of record in this State, or upon any Judgment rendered by

cuit Judicial of the peace in this State, for and during the existence of the war; now pending between the United States and the confederate States, and all judgments now rendered or which may hereafter be rendered shall have the same effect by way of a lien as judgments have under existing laws—

The two first amendments were severally concurred in—

On question of concurring in the 3d amendment, Mr. Daffold called for the yeas and nays which was sustained ordered and had with the following result:—

Yeas—Messrs. Armstrong, Beasley, Bowden, Cangile of Clark, Cangile of Conway, Childers, Clayton, Coulter, Davis, Hays, Hemmingway, Hudson of Jefferson, Humphreys, Jones of Chicot, Jones of Pike, Jones of Bell, McKean, McLean, Pennington, Seaborn, Stephenson, Wheeler Bell and Mr Speaker—24—

Nays—Messrs Acree, Allen, Bates, Carroll, Cravens, Dunnall, Harrison, Hill, Jett, Kenner, Key Lowden, Massey, Maxwell, Mitchell, Murphy, Padgett, Peay, Perkins, Ransom, Rief, Risin, Robinson, Scaffold, Shamp, Smith, Stone, Thompson, and Thorpe—30—

So the House refused to concur in the amendment—

Mr. Bowden called up House Joint Resolution No 16, To increase Salary of Secretary of State—

Senate amendment thereto as follows—

"Strike out "one thousand" and insert "five hundred"—

was read and concurred in—

Mr. Bell made the following report—

Mr. Speaker

The Committee on the Judiciary to whom was referred House Bill No 77, entitled an act concerning the Mississippi Ouachita and Red River Railroad Company, have had the same under consideration, and have instructed me to report the same back to the House, and recommend its rejection

J. P. Bell of Jud Com—

Which was read and adopted and the ~~committee~~ bill thereby rejected—

On motion of Mr. Dorsal the Clerk was instructed to hire such assistance as would be necessary to keep up with the business of the House, ~~to be paid at some rate as assistants which prevailed~~

On motion of Mr. Humphreys the House adjourned until Monday morning 8 of the clock —

Bradley Bunch
Speaker

Monday morning Nov 18-1861.

House met -

Roll called -

Present Messrs. Agee. Allen. Armstrong, Babis, Bayley Bean. Bowden, Cargile of Clark, Chilcutt, Cleyton, Coulter, Crews, Cranell, Davis, Durel, Edmonson, Ferr, Harris, Henrixson, Hays, Henderson of Jefferson, Henderson of Newton, Hull J.A, Jams of Chicot, Jams of Pike, Key, Lawson, Massey, McDowell, Mitchell, Murphy, McKean, McLean, Pennington Ransom, Ruff, Risan, Robinson, Saffold, Seaborn, Padgett Peay, Hemingway, Sharp, Smith Stevenson, Stone, Thomas Tucker, Ware, Wheeler, Woodward, Wyse, Mr Speaker, 56 -

On motion of Mr. Lawson. the reading of the Journal was dispensed with for the present,

Mr J.A. presented the Petition of ~~Citizens~~ Camp Cant of Hempstead County, relative to clothing for Volunteers &c which with the being read was referred to. Committe on claims -

Mr. Cranell called up Senate bill No 32, Entitled an act to authorize the People of Lafayette Co. County to make a new County ~~Road~~, Which was read the first time

On motion of Mr. Cranell. the rules were twice suspended and the bill read by title a second & third time. and passed,

Mr. Davis called up Senate Bell No 31 - Entitled an. "Act to Legalize the Sale of. the 16th Section T. 14 N. R. 4 West. which was read, the first time,

On motion of Mr Davis the rules were twice suspended, and the bill read a second and third time and, passed,

Mr. Armstrong. called up. Senate Bill No. 27, Entitled. "An act to consolidate the School. funds of and unite Townships five North of Range. Nine East, and Township Six North Range Nine East, in one School district, which was read a first time

On motion of Mr. Jams of Chicot, the rules were twice suspended and the Bill read a second & third time and passed,

H B No 114

A Bell introduced House Bill No. 114 Entitled "An act. Entitled an act. Supplimental to an act. passed,

at the present Session of the General Assembly, entitled "An Act, to repeal, the 2nd Sec, of an ordinance, to provide Revenue for the State of Arkansas, and supplimental to an act, also passed at the present Session." entitled An Act to Repeal, an ordinance to Authorize the levy of a tax for Military & other purposes,

which was read a first time,

On Motion of Mr. Bell the rules were twice Suspended and the bill read a second and third time by title and passed,

Mr. Massey called up Senate Bill No. 3 Entitled "An Act, for the benifit of Special Juages, and Prosecuting Attorneys. which was read a first time

On Motion of Mr. Massey the Rules were suspend and the Bill read by Title a second. time

On Motion of Mr. Jensen. the rules were suspended and the Bill read a third time by Title and passed,

Mr. Ware. from the Committe on. Enrollments made the following two Reports

Mr. Speaker.

Your committe on Enrollments did on the 18th day of November. 1861, deliver to the Governor. for his approval, House Bills. No. 102. 71. 46, 15, 62, 96, 41, 69, 85, 94, 88, and 55, And have instructed me to Report the same to this House.

J. J. Ware. Chairmen.

Mr Speaker

Your committe on Enrollments have had under consideration House Bills Nos-102, 71. 46, 15. 62, 96. 41 69, 85, 94, 88. and 55, after comparing the same have instructed me to report. Said bills correctly enrolled.

J. J. Ware Chairman,

which were received read and adopted

Mr. Davis introduced the following Resolution " In view of the important business. before this house, and the short. time allowed, for its completion. Be it Resolved. that, no member. Shall be allowed. to Speak, more than. five minutes on any question.

Davis

which was read and adopted,

The following Message from the Senate was received by the hands of the Secretary thereof,

Mr Speaker,

I am instructed to inform your Honorable body that the Senate have refused to recede from their amendment to House Bill No 57, Entitled "An Act, to facilitate the circulation of Arkansas, War Bonds and Treasury Warrants", in which the House has refused to concur; and the Senate asks the appointment of a committee of conference on said Amendment, Mess Dodds Russell & Davis, are appointed, such committe on the part of the Senate

J.D. Kimbell,

Secy Senate,

Mr Speaker appointed Mess. Smith J.A, Gell, Fuckerand, Thorn. and the part of the House, on said Conference committe

The following Message was received from the Senate by the hands of the Secretary thereof

Mr Speaker.

I am instructed to inform your Honorable body, that the Senate have assented to and passed, House Bill No 107, to be entitled "An Act, to repeal Section No 4, of the Act, approved, January 19, 1861, to provide for the Sale of runaway Slaves, in the Penitentiary, and to revive Sec: 18 of Chap. 162, of Gaines Digest

The Senate have refused, to assent to House Bill No. 109, to be entitled "An Act, for the relief of Actual Settlers on Wheel, Lands, in this State

also,

House Bill No 98, to be entitled "An Act, to authorize Executors Administrators, and guardians, to loan cotton and other produce to the Confederate States

also

House Bill No. 32, to be entitled an Act, for the relief of persons, having entered, Lands, under the late United States Government and also, the same Lands from the ~~United~~ States of Arkansas,

also

House Bill No 40, to be entitled "An Act, defining the duties of the Auditor in relation to the Lands of this State

All of which are herewith returned,

The Senate have passed Senate Bill No 93

to be entitled "An Act to amend the Charter of the City of Ft Smith, which is herewith transmitted for the assent of Your Hon Body, which is respectfully asked.

The Senate have passed, House Bill No 111, Entitled, "An Act, to provide, for the measurement, of certain lines and. for the final adjustment of a certain claim which is herewith returned.

J D Kimbell Sec Senate

Mr Cargile of Clerk. called up Senate Bill No 23- Entitled "An Act to abolish,

Mr Ware from the Committe on Enrollments made the following Reports

Mr Speaker, Your committe on, Enrollments-have on the 18th day of. Nov 1861 Submitted to the Governor, for his approval. House Bills No 16, 56, 103, and 94, And have instructed me, to report the Same to this House

J J Ware Chairman

Mr Speaker.

Your committe on Enrollments-have had under consideration House Bill No. 16. 56-103, and 94. and have instructed me to Report Said Bill- correctly enrolled,

J J. Ware Chairman

The following, Message was received from the Governor, by the hands of his private Secretary

Mr Speaker. Executive Office, Little Rock Ark November. 18, 1861,

An Act, to facilitate the collection of Revenue having passed both houses of the General assembly, is presented to me for my approval

The Bill provides that the Tax payer, on paying his money directly with the Treasurer. taking duplicate. receipts one of which he is to file with the Auditor, This he may or may not do it not being essential to protect him, in many instances as will be neglected, and the Auditor have no knowledge that the money is in the Treasury. and be unable to charge the Treasurer on his books, and hold him accountable on Settlement,

The Bill adds to the convenience of the Citizen but does not in my opinion Sufficiently protect the Government.

For which reason it is respectfully returned for your further consideration

Henry M Rector

Mr. Speaker,

I am instructed to inform your Honorable body, that on the 16th of November, 1861, the Governor approved and signed the following Acts

An Act conferring on Justices of the Peace, exclusive Original Jurisdiction in certain Misdemeanors,

An Act for the benefit of certain Volunteer Companies of Carroll County

... An Act to repeal the 2nd Section of an Ordinance, of the State Convention Entitled 'An Ordinance to provide Revenue for the State of Arkansas,

Also on the 18th of November, he approved "An Act, to facilitate the Collection of Revenue.

November 18, 1861,

W. M. Matheny
Private Secretary

Mr. Cargile of Clark Called up, Senate Bill No, 25- Entitled an Act, to abolish certain Offices, in the Government of Arkansas."- which was read the 1st time

Mr. Cravens moved to reject the bill- which did not prevail -

Mr. Mitchell moved to amend as follows

Amend by saying that the office of Register & Receiver at Hunstville shall not be abolished"-

Mr. Pennington offered the following amendment as a substitute for the amendment-

Amend by striking out all that part of the bill that relates to Registers and Receivers - which was accepted -

Mr. Cravens moved to amend the amendment by striking out all that part of the bill in relation to Solicitor General, Surveyor Land Secretary, Registers & Receivers

Which on motion of Mr. Mitchell was lair on the table -

Mr Flemingray moved the indefinite postponement of the bill and amendment- on which Mr. Carroll called for the Yeas and nays which was sustained ordered and had with

the following results

Yeas— Messrs. Armstrong Bowden Cravens Duval Hemingway Jones of Chicot Massey and Robinson— 8

Nays— Messrs. Allen Carroll Cargile of Clark Cargile of Conway Childers Coulter Cromell Davis Edmondson Farr Harris Harrison Hays Hudson of Jefferson Hudson of Newton Hull Lett Jones of Pike Jones of Yell Key Maxwell Mitchell Murphy McKean McLean Padgett Peay Pennington Ransom Riff Rison Safford Sharp Smith Stephenson Stone Thorn Tucker Ware Wheeler Woolard Wyne and Mr Speaker— 43.

So the House refused to postpone the Bill

The question was stated to be upon the adoption of the Substitute offered by Mr. Pennington,

Which was adopted and then read the 2d time

The as amended was then read the 3d time by title and passed

Mr Hemingway made the following report—

Mr Speaker,

The committee on Internal Improvements to whom was referred House Bill No. 104 entitled an act to prevent taxation or Squandering of the Internal Improvement funds to build Telegraphic lines have had the same under consideration, and being divided in opinion have instructed me to return the bill back to the House and ~~Recommend~~ ask to be discharged from its further consideration — Hemingway, Chm.

Which was adopted and the committee accordingly discharged—

Mr. Lawhon from the Conference Committee made the following Report:—

Mr. Speaker:—

The Committee of conference have had ~~the same~~ under consideration House Bill No 57, have agreed upon the accompanying amendments to said bill in lieu of the amendments insisted upon by the Senate —

Lawhon Chm. on part of House —

Which was adopted and the amendments as follows read —

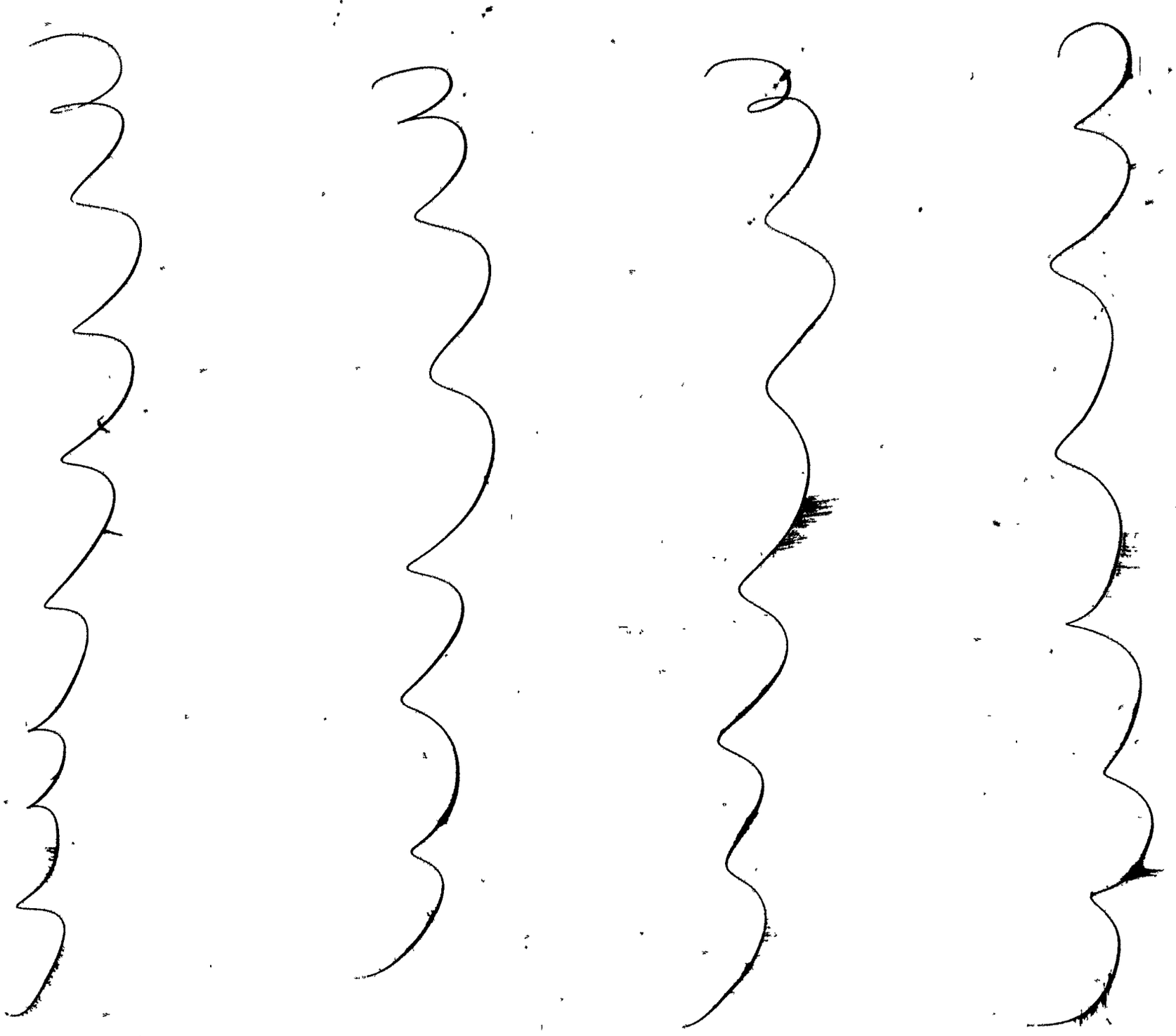
Sec. 7. Be it further enacted, That no execution or order of sale shall issue upon any judgment or decree, now or hereafter to be rendered by the Judges of the Circuit, Probate or Chancery Courts of this State or Justices of the Peace for the period of twelve months from and after the passage of this act, and that no sales of any property shall be made by any Sheriff, Coroner Trustee Constable or other person under or by virtue of any execution decretal order, writ of attachment or other process or power of sale under mortgages or deeds of trust except by consent of parties, issued by any of the Chancery, Circuit or Probate Courts or Justices of the Peace of this State, for the period of twelve months, unless the plaintiff or some other person for him shall at the time of applying for such writ of execution or order of sale, make and file any affidavit that the property of the defendant is about to be removed beyond the limits of this State and the plaintiff in great danger thereby of losing his debt, the truth of which affidavit may be tried by a jury when demanded by the defendant or some person for him before the tribunal to which such execution or order of sale may be made returnable, and all executions and orders of sale now in the hands of any officer or other person shall be forthwith returned without the execution thereof to the court from whence it was issued

Section 8— Be it further enacted, That any and all defendants their agents or attorneys shall have the right to continue for the period of twelve months after the passage of this act, on his or her motion without affidavit or other cause shown all civil or common law suits in Chancery where the defence shall be for money now pending in any of the Circuit or Chancery Courts of this State or hereafter to be commenced in said courts, as well as all actions now or hereafter to be commenced before any Justice of the Peace of this State, provided that nothing in this act shall be so construed as to prevent the issuance and levying of any writ of attachment as now provided by law, provided further that all defendants in attachments, on motion to dissolve, the same shall have the right to put in issue the truth of the affidavit upon which any such writ of attachment ~~shall~~ may hereafter issue from any of the Circuit Courts, on

Justices of the Peace of this State, and that all judgments in the Circuit Courts shall be a lien upon property as now provided by existing laws. Provided further that any Judgment Debtor shall have the right at his or her own election to have executions issued against him or her on any judgment now or hereafter to be rendered against him or them in any of the Circuit Courts, or by any Justice of the Peace of this State, for the purpose of surrendering in execution War Bonds, Treasury Warrants of this State, or the Confederate States Bonds or Treasury Notes in satisfaction of said Judgment, upon which the same may issue, and if the said Judgment Debtor shall refuse to accept from the Officer levying said executions said War Bonds Treasury Warrants & Treasury Notes of this State or the Confederate Bonds and and Treasury Notes of the Confederate States so surrendered by the Judgment Debtor at their par value including interest due thereon at the time of the surrender

Then the said War Bonds Treasury Warrants Treasury Notes, Confederate Bonds or Confederate Notes (Treasury) shall be returned by the said Officer to the said Judgment debtor, and the said Officer having said executions shall return the same to the proper office and the said Judgment Creditor shall have no further execution or process against said

Judgment debtor for the period of twelve months after the restoration of peace between the Confederate States and the United States of America



On the question of concurrence in the proposed amendments, Mr Saffold called for the yeas and nays, which was sustained ordered and was with the following result:-

Before the calling of the roll, Mr. Berry moved for a call of the House, which was sustained, and it appeared, That Messrs Acree Bates & Claytin Edmundson, Padgett and Saffold were absent without permission,

The doors were closed, and the doorkeeper instructed to procure the attendance of the absentees.

In a few moments a quorum appearing within the Hall, on motion of Mr Edmundson the call was suspended -

The roll was then called on the question of concurrence with the following result:-

Yeas - Messrs Allen Armstrong Beazley Bowness Carnes Carpile of Clark Carpile of Conway Childers Coulter Crowell Davis Starr

Ferguson Harris Hays Hemingway Hudson of
Jefferson Hudson of Newton Hull Jett Jones of
Choct Jones of Pike Jones of Yell Key London
Massey Maxwell Mitchell Murphy McKean
McKee Pray Pennington Ransom Riff ~~Rob-~~
~~inson Safford Sharp~~ and Hare Seaborn ~~Smith~~
Stephenson Thorn Tucker Wheeler Woolard
Hyer Yell and Mr. Speaker — 45

Noes — Messrs. Cravens, Israel Harrison
Rison Robinson, Sharp and Rowe — 7 —

So the amendment was concurred in.

HB No 113 Mr. Jett introduced House Bill No 113 Entitled an Act to compell the residence of some white person, on plantations on which there are Slaves —

Which was read the 1st time —

On motion of Mr. Thorn the rules were suspended and the bill read the 2d time.

Mr. Caulkin moved to amend by exempting Union County from the provisions of the bill —

Which on motion of Mr. Key was laid on the table —

Mr. Congile of Clark moved to amend by striking "a free male" before the words "white persons" —

Which on motion of Mr. Carroll was laid on the table

Mr Riff moved to lay Bills and Amendments on the table which were not passed

On Motion of Mr. Brannell the rules were suspended and the Bill read by title the third time & passed.

Mr. Key for Mr Mitchell made the following report.

Mr Speaker,

The committee on Banks to whom was referred. House Bill No 88, have given the subject. that careful attention which its importance demands — and in view of the exigencies of the time which seems to require the establishment of a sound paper currency — they beg leave to report the bill back to the House

and recomend its passage.

Mitchell Chairman.

which was accepted and House Bill No 88. Entitled "An Act. to Charter the Exchange Bank. was. read the third time, and on motion of Mr Jones of Chicot. indefinitly postponed

Mr. Ware made the following Report

Mr Speaker

Your committe on Enrollments have had under consideration House Bill No 111, 48, and 107, and after comparing the same. have instructed me. to Report the same to this house as correctly Enrolled

J. J. Ware. Chairman

Mr Speaker.

Your Committe on Enrollments have on the 18th day of November. 1861, acted to the Governor. for his approval House Bill No 111 — 48 & 107, and have instructed me to report the same to this house

J. J. Ware

Chairman

The following message was. received from the Senate by the hands of. his Private Secretary

Mr Speaker.

I am instructed to inform your Honorable body, that the Senate have passed. House Bill No. 48. Entitled "an act. to increase the pay of associate Justices of the County Court of the County of Izard, which is herewith returned,

And have passed, House Bill No 6, Entitled an act to amend an act, prescribing the duties of collectors of Revenue which is also herewith returned,

The Senate have adopted Senate Joint Resolution No. 6, relative to employing. counsel. to defend the State interest in the Little Rock Hot Springs: which. is herewith transmitted. for the concurrence of your Honorable body. which is respectfully asked.

The Senate have concurred in the amendment. of the house. to strike out. the 7th Section of. Senate Bill No. 25. Entitled "an act to abolish. certain offices. in the State Government, of Arkansas,

John D. Kimbell

Sec Senate

Mr. Lucas Called up Senate Bill No 83. Entitled an act to amend the Charter of the City of Ft Smith

Which was read the first time and on his motion the rules were twice suspended, and the Bill was read the second and third time by Title and passed,

Mr. Mitchell, made the following Report,

Mr Speaker.

The committe on Banks. To whom was referred Substitute House Bill No 88, entitled, "An act to Establish a general System of Free Banking in the State of Arkansas., have had the same under consideration and have unanimously agreed that the Bill is entirely too long for so short a session. They therefore report said Bill back to the house and ask to be excused from further consideration of the same.

Mitchell Chairman

which was adopted and the Committe thereby discharged from further consideration of the same,

Mr. Peay called up house Bill No, 104, Entitled An "act to provide Location by Legislative Act of Internal Improvement Lands,, Which was read the third time and, passed,

Mr Ramsay called up house Bill no, Entitled "An Act for the relief of all persons, having attaching & Levying Contracts with the State,

Senate amendments as follows, Strike out the words after the restoration of Peace in the first section, was read and concurred in,

Mr Duval offered the following resolution

Resolved that the additional Clerks employed, under the direction of this house, shall receive the same compensation per day as is allowed to the assistant Clerk. and the Page employed to assist the principle Page be allowed the same daily pay as is allowed to the Page, to be paid out of the contingent fund of this House which was adopted

Mr. Jones of Chicot called up House Bill No 3. Entitled An act to change Sect. 3. Chapter 67 of Gaines Digest.

Senate Amendments as follows,

Strike out the words and that the provisions of the Bill shall of force to the Counties of Chicot & Ouachita only at the end of Section one,

Which was read and concurred in

Mr Bell called up Senate Bill No 5: Entitled "An act to repeal all laws, that prohibit the circulation of Bank Bills of any denomination which was read the first time

On Motion of Mr. Bell the rules were twice suspended, and the Bill read the second and third time by title and passed,

On motion of Mr Peay the house took a recess until 2 o clock

2 o'clock P. M, House met,

Mr. Duval offers the following resolutions —

Resolved.

That the thanks of this House be and are hereby tendered, the Hon. Bradley Bunch, the Speaker of this House for the able and impartial manner in which he has presided over the deliberations of this Body.

Resolved,

That the thanks of this House be and are, and tendered to John P. Jones, Principal Humphrey Enyart, assistant, & E P. Blount enrolling Clerk, for the prompt, certain and correct manner in which they have discharged their duties

Resolved.

That Master Edwin McConnel, the Page of this House, has discharged his duties with promptness, courtesy & dispach, and is entitled to the thanks of the members and has our good wishes, for his future good fortune,

Duval,

Mr. Saffold offered the following Resolution which was read,

Resolved that the persons officers of this General Assembly be allowed, the same mileage that the members from his county are entitled to — which was last

HcBNo115 Mr. Stone introduced House Bill No. 115, Entitled "An Act. to repeal an Ordinance. passed by the late State Convention,

Which. was read the first time. & on Motion of Mr. Stone, the rules were twice Suspended and the Bill read a second and third time and passed,

HcB. 116, Mr. McKean introduced House Bill No. 116, Entitled An Act. for the relief of certain Citizens in this State which is read the first time

On Motion of Mr. Duval, the rules were suspended and the Bill read a second time

Mr. Peay moved to amend as follows— Provided That there is no other claimant. to any land coming within the Scope of this enactment. which was adopted and then read the second time

On Motion of Mr Duval the rules were suspended the Bill read the third time by Title and passed,

Mr Pearce made the following Report, Mr Speaker.

Your Committee on enrollments have on the 18th day of Nov. 1861, delivered to the House Bills Nos. 6-93, 103, & 87, they have also instructed me to report the same to this House as correctly enrolled,

Pearce Chairman

which was received

On Motion of Mr Duval. the House took a recess for an hour—

At the expiration of an hour the House met, and

On. motion of Mr. Jones of Christ the House took a recess until 6½ o'clock

6½ O'Clock

House met

The following message was received from the Governor by the hands of his private Secretary

Executive Office
Little Rock
Nov. 18–1861

Mr. Speaker:

An act to be entitled an act for the relief of Francis P. Redmond — Having passed both Houses of the General Assembly is presented to me for my approval

The Bill appropriates Six Hundred Dollars to be paid out of the Treasury to Francis P. Redmond for transporting volunteers from Clarendon Monroe County to Pittsburg St. Francis County and from Clarendon to Des Arc—

The accounts for the payment of these amounts have been presented to the Military Board for payment and rejected after full consultation upon the ground that the Company transported to Pittsburg was not in service or under orders but on its way to the point of rendezvous, designated for the formation of the 5th Regiment organized by Col Marsh Walker. It being a rule inflexibly adhered to by the Board to pay no expenses incurred by a company before being mustered into service -

A great many claims of a similar nature being rejected and unpaid and still others which under the rules have not asked or expected to be paid- There has been fifteen Regiments organized by the Military Board, Companies have marched many of them to Little Rock by land before being received, others from Red River to the Northern Boundary of the State at their own expense - The volunteers referred to in the bill transported from Clarendon to Des Arc are those mustered by Capt Pearson, for confederate service and form a part of Col. Clymchill's Regiment - with whom the State has had no connection at any period and whose expenses the confederate Government ought to pay if allowable—

If the bill before me is made a law, it becomes a precedent for allowing hundreds of other claims equally meritorious, indeed more so, because they pertain, at least to State Service while this on paper belong to the Confederate Government - and whatever might ultimately after after peace is restored, be

be acceded by legislation to this class of claimants, & are unwilling during the present embarrassments of the country to commence the payment of demands the propriety or justice of which under any circumstances is at least questionable

The bill is therefore returned with these my objections for your further consideration

Thomas M. Peston.

The following message was also received -

Mr Speaker

I am instructed by the Governor to inform your honorable body that on the 18th day of December, 1861 he approved and signed the following acts:-

An act for the relief of the securities of James C Sherman, late Sheriff of Columbia Co -

An act to change the time of holding the 5th Judicial Circuit -

An act for the relief of Duncan S. Morris of Arkansas County -

An act to charter the Arkansas State Telegraph Company -

An act to pay the expenses of the last illness and funeral of the Hon Thomas Rainsof Newton County

An act to furnish any officer or officers for embezzling the public money, or moneys in this State -

An act to provide for the payment of the War Tax imposed by the act of the provisional congress of the Confederate States, approved August 19th 1861, and for other purposes -

A Resolution to increase the salary of the Secretary of State -

An act for the relief of Richard B. Thompson, late Sheriff and collector of Jefferson County -

An act concerning suits still pending in the Supreme Court of the United States -

An act to provide for the issuance of Treasury Warrants of small denominations and for the redemption of war Bonds.

An Act for the relief of Volunteers of

Arkansas and for other purposes

An act to incorporate Agricultural Fairs in Phillips Monroe St Francis Cruittenden, Mississippi Crawford Greene and Poinsett Counties and the Helena District Agricultural and Mechanical Association

An act to amend Sections 1st Chapter 49 of Revised Digest so far as relates to the Counties of Jefferson and Bradley.

An act to amend an act to aid the Arkansas Institute for the Blind, approved January 19th 1861—

And related an act for the relief of Francis P. Redmond of Monroe County Arkansas

U. M. Mattocks
Private Sec

November 18- 1861

Which were received

Mr. Ware from Committee on Enrollments made the following Reports—

Mr Speaker—

Your Committee on Enrollments have examined House Joint Resolution No 12, and House Bill No 108, and have instructed me to report the same correctly enrolled—

Ware, Chairman—

Mr. Speaker:—

Your Committee on Enrollments did on the 18th day of November 1861, deliver to the Governor for his approval House Bill No 8, and House Joint Resolution No 12, and have instructed me to report the same to this house

Ware Chairman

Which were received—

On motion of Mr. Duval a Committee of to act in concert with a similar committee appointed by Senate three was appointed to wait on his Excellency and inform him that the House are ready to adjourn sine die—

Mr Speaker appoints Messrs Duval Henderson of Jefferson & Boulter

Mr Eskew offered the following Resolution

Resolved by the House of Representatives

of the General Assembly of the State of Arkansas - That in view of the imminent danger of Arkansas being invaded by the enemy it is the duty of each member and they hereby severally pledge themselves upon their return home to do their utmost to encourage their fellow citizens to repel the invading foe - and to gether with them to repel the enemy at all hazards even though it costs their life's blood.

Which was read and Adopted.

The following message was received from the Senate by the hands of their Secretary,

Mr. Speaker:-

I am instructed to inform your honorable body that the Senate have reconsidered the vote rejecting House Bill No 32. Entitled "An act for the relief of persons having entered Lands under the late United States Government and also those from the State of Arkansas" ... and adopted the recommendation of said bill for their further deliberation

John D Kimbell
Secy of Senate.

The following message was received from the Senate by the hands of their Secretary

Mr Speaker

I am instructed to inform your honorable body that the ~~House of~~ Senate have adopted and concured in the amendment proposed by the Committee of conference to whom was referred the amendment of the Senate to House bill No 57. entitled an act to facilitate the circulation of Arkansas Bank bonds and Treasury notes.

The Senate have passed House bill No 113 entitled an act to compel the residence of some white person on plantations on which there are slaves, which is herewith returned.

And have adopted and concured in House Joint Resolution No 12 making an appropriation to pay James H Reid One hundred and Sixty five Dollars per the ~~Hon~~ Baker, which

is also herewith returned

The Senate have passed also House bill No. 114 Entitled an act supplemental to an act passed at the present session of the General assembly entitled an act to repeal the second section of an ordinance to provide revenue for the State of Arkansas and supplemental to an act also passed at the present session entitled an act to repeal an ordinance authorizing the levee of a tax for military and other purposes, Which is herewith returned

The Senate have reconsidered their rejection of House bill No. 32 entitled an act for the relief of persons having entered lands under the late United States Government and also the same from the State of Arkansas and have passed the same which is herewith returned

John D. Kimbrell
Secy Senate

The following message was received from the Senate by the hands of their Secretary

Mr Speaker

I am instructed to inform your honorable body that the Senate have passed House bill No 49. entitled an act for the relief of the people of Arkansas; which is herewith returned

The Senate have concurred in the resolution of the House to appoint a committee to wait on the Governor and inform him that the two houses will adjourn this night sine die - Committee on part of the Senate Messrs. Rosson Oates and Flynn

The Senate have passed House bill No. 89 entitled an act for the relief of sick wounded and disabled volunteers of this State,

Which is herewith returned

J. D. Kimbrell
Secy Senate

The following message was received from the Governor:-

Mr. Speaker:-

I am instructed by the Governor to inform your honorable body that on the 18th of November 1861 he approved and signed the following acts.

An act to increase the pay of associate Justices of the County Court of Scott County

An act to provide for the measurement of certain levees and for the final adjustment of a certain claim.

An act to repeal Section 4 of the act approved January 12, 1861 to provide for the Sale of Runaway Slaves confined in jail the penitentiary and to amend the 18th Sec. of Chap 62. of Gouds digest

An act to compel the residence of some white person on plantations on which there are Slaves

House Resolution for the relief of Jennins T. Reid

An act to facilitate the circulation of Arkansas War Bonds and Treasury Warants

and also vetoed an act for the relief of all persons having Levee and Ditch contracts with the State

and an act to Amend an act prescribing the duties of collectors of Revenue

November 18, 1861

Wm M. Mathenny
Private Secretary

Executive Office
Little Rock Nov. 18, 1861

Mr Speaker

The act for the relief of persons having Ditch and levee contracts with the State - having passed both Houses of the General Assembly - is presented to me for my approval -

This bill allows all persons having levees and ditch contracts with the State [illegible]

years extension of time within which to complete the work - the effect of which would be, to fasten upon the State a class of unfortunate contracts costing the State already a large amount of money, which are worthless to the country, not to be gotten rid of by the Government upon any terms honorable to itself, and not in violation of positive and existing obligations - and I have considered the State singularly fortunate, that the period within which they are to be completed by the terms of the agreement will shortly expire, thereby relieving the Treasury of the payment of a large additional amount of Money - which practically will not benefit the State or the locality where the ditches are dug, the cost of measuring them when completed - There is a case in point, strikingly illustrative of the impolicy of extending the contracts - beyond the period at present limited for completion of the Work - that is the contract of McCauley & Co. for erecting an immense Levee on the north bank of White River near Surrounded Hill, the aggregate cost of the whole job is one hundred large odd thousand dollars - since my induction into office, I have paid them near or quite Seventy-thousand dollars in gold - the work is not yet completed - and a considerable amount will be due them when it is done - The freshets of last Spring have swept away the Earth thrown up in many places, leaving the remainder of the work utterly valueless, and it will continue so to be after the Contractors have completed their engagements - Application has been made to me, for an extension of time upon this work and I have declined it announcing to the Contractors, that I regarded the State as fortunate in thus being able honorably to get rid of a bad bargain. The Executive has discretion under present laws to extend the time for the completion of work of this Character, and when the ditch or levee is at all beneficial, indulgence has or may be granted. When it is a shameful waste of money to prosecute the work, I have refused an extension, and will so continue, unless otherwise directed by law - The bill for these reasons returned respectfully for your further consideration -

Very. &c. &c.

Hon. The Secretary

Executive Office -
Little Rock. Nov 18-1861-

Mr. Speaker:-

An act to amend an act prescribing the duties of Collectors of Revenue having passed both Houses of the General Assembly, is presented to me for my approval-

The effect of the bill is to postpone the payment of the revenue into the Treasury for 1861, until July 1862. By acts recently passed - the taxes have been reduced to a peace standard- The confederate tax is provided to be paid by the State, War Bonds and Scrip are receivable for Revenue; all which bills of relief would seem to be ample in aiding the people to pay their taxes by the 15th of May next, the time now fixed by law The 3d Section of the act defers the settlement of Sheriffs with the Auditor until the 1st day of December 1862, making it nearly 12 months after the revenue is due from the tax-payer before the settlement of the Collector is required - So long an indulgence is neither beneficial to the people or to the officer, carelessness and neglect of duty follows- The government is deprived in the meantime of the necessary means of support and relief bills and nepotic defalcations will follow- Securities are kept in suspense, law-suits engendered, and a multitude of evils ensue, without corresponding advantages-

The bill is returned with these objections. hastily prepared, though sufficiently important to induce me to withhold my approval-

Henry M. Rector -

The following message was received from the Senate by the Hands of their Secretary:

Mr Speaker:-

I am instructed to inform your honorable body that the Senate have passed House bill No 116. Entitled an act for the relief of certain citizens of this State - which is herewith returned-

John D Kimbell,
Secy of Senate-

Mr. Brown made the following Report from Committee on Enrollments

Mr Speaker:

Your committee on Enrollments have had under consideration House Bills Nos 116, 114, 32, 89 and 49, and have instructed me to report the same as correctly enrolled — Frank Chamin —

Mr. Speaker

Your committee on Enrollments did on the 18th day of November 1861, deliver to the Governor for his approval the following House Bills No° 116, 114, 32, 89 and 49, and have instructed me to report the same to this House — Frank Chamin

Which were received —

The following message was received from the Governor by the hands of his Private Secretary

Mr Speaker —

I am instructed to report to the House of Representatives that on the 18th day of November 1861 he approved and signed

An act for the relief of the people of Arkansas,

An act for the relief of persons having entered lands under the late United States Government and also the same lands from the State of Arkansas

An act Supplemental to an act passed at the present Session of the General assembly entitled an act to repeal the second section of an ordinance to provide revenue for the State of Arkansas, and Supplemental to an act also passed at the present Session entitled an act to repeal an ordinance to authorize the levy of a Tax for military and other purposes

And an act for the relief of the Sick wounded and disabled volunteers of this State

Nov. 18, 1861. W. M. Mathany

Private Secretary

Executive Office

Little Rock November 18, 1861

Mr Speaker —

The Joint Committee appointed by the House of Representatives having announced that that body has transacted all

business deemed necessary at the present session and is ready to conclude its sittings - I beg leave in response to offer to the House of Representatives my most profound thanks for the prompt and patriotic manner in which it assembled at the Capitol in response to my proclamation convoking them - and must congratulate your constituencies in being so ably represented and for the harmony and good feeling that has characterized your deliberations - Echoeing pantis and pantizansships working alone to the good of the people, the protection of their rights and the recognition of their interests - May our independence be sure, our swords turned into ploughshares, and the South once more be seen to bloom as the rose, the land of unalloyed freedom and equal rights -

I know of no reason why the House of Representatives may not now adjourn sine die -

Henry M Reeder

On motion of Mr. Lloyd the Clerk was instructed to inform the Senate that the House were ready to adjourn sine die.

The following message was received from the Senate by the hands of their Secretary -

Mr Speaker -

I am instructed to inform your honorable body that the Senate have finished their deliberations for the present session and are now ready to adjourn sine die in pursuance of a Resolution heretofore adopted by the two houses for that purpose -

Jno L Rumbold

Secy of Senate -

After a few appropriate and touching remarks Mr. Speaker announced that the House of Representatives in pursuance of a Resolution adopted by both houses. stood adjourned sine die

Bradley Bunch

Speaker